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MEETING

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

DIVERSON, PLANNING AND LOCAL ASSISTANCE COMMITTEE

JOE SERNA JR., CALEPA BUILDING

SIERRA HEARING ROOM

1001 I STREET, 2ND FLOOR

SACRAMENTO, CALIFORNIA

TUESDAY, OCTOBER 8, 2002

9:00 A.M.

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1 PROCEEDINGS

2 CHAIRPERSON JONES: Good morning. And welcome to
3 the October 8th meeting of the Diversion, Planning and
4 Local Assistance Committee.

5 Jeanine, can you call the roll.

6 SECRETARY BAKULICH: Eaton?

7 COMMITTEE MEMBER EATON: Here.

8 SECRETARY BAKULICH: Medina?

9 COMMITTEE MEMBER MEDINA: Here.

10 SECRETARY BAKULICH: Jones?

11 CHAIRPERSON JONES: Here.

12 And our fourth member is -- she's representing
13 the Board up in northern California, dealing with an issue
14 that she had to take care of today. So the three of us
15 will be dealing with it.

16 If anybody's got cell phones or pagers, could you
17 shut them off or put them on vibrate so we don't get
18 interrupted during the meeting.

19 If anyone wants to speak to an item, there are
20 speaker slips in the back of the room. Go ahead and fill
21 it out, bring it up to Jeanine Bakulich, and she'll make
22 sure you get an opportunity to speak.

23 Mr. Eaton, any ex partes?

24 COMMITTEE MEMBER EATON: Up to date.

25 CHAIRPERSON JONES: Mr. Medina.

1 COMMITTEE MEMBER MEDINA: Up to date and none to
2 report.

3 CHAIRPERSON JONES: Okay. And I have one, which
4 is a fax we got last night from Burrtec regarding Apple
5 Valley, that I've put a copy in front of the other two
6 members. So the members have -- they haven't read it yet,
7 but they've got a copy of this. So I'll ex parte it for
8 all three of us, for the Committee.

9 Okay. Mr. Schiavo, Deputy Director's report.

10 DEPUTY DIRECTOR SCHIAVO: Good morning. Pat
11 Schiavo of the Diversion, Planning and Local Assistance
12 Division.

13 I'd like to just give you an update regarding the
14 progress we're making on the biennial reviews to date.

15 After this Board meeting we'll have approximately
16 120 more biennial reviews to bring forward. Approximately
17 60 of those will include new generation studies or new
18 base years. Several of these include the extrapolation
19 methods that took place before the members moratorium took
20 place. So we estimate that these will be a percentage of
21 good faith effort jurisdictions, those that will meet 50
22 percent goals, some compliance orders, as well as 1066
23 extensions. So we'll have a mixed bag over the next few
24 months.

25 So we're moving forward on those, getting out

1 there and doing the site visits. After the budget impasse
2 we've finally been able to get out and now do the site
3 visits. We had to stop those except for the ones around
4 Sacramento for that period of time.

5 So that's pretty much it. I just wanted to give
6 you an update, because we have a big agenda today and I'd
7 like to move forward.

8 One thing I'd like to bring to your attention is
9 a reordering of a couple of agenda items. And this is
10 just because of the linkages.

11 I'd like to have Item AG, Committee Item AG heard
12 before Committee Item W. And those are both the City of
13 Alhambra. One is a base year and one is the 1066
14 petition.

15 The next one is Committee item AH to be heard
16 before Committee Item X. And that is the City of Arcadia.

17 And then finally Committee Item AI to be heard
18 right before Committee Item Y. And that's for the City of
19 Claremont.

20 And again those are all base years to be heard
21 right before the 1066 petition requests.

22 And that concludes my report.

23 CHAIRPERSON JONES: All right, Mr. Schiavo, let's
24 start it off with the first item.

25 DEPUTY DIRECTOR SCHIAVO: Okay. The first item

1 is Item number 28 or Committee Item B. And this is
2 consideration of the 1999-2000 biennial review findings
3 for the source reduction and recycling element and
4 household hazardous waste element for the City of Chico.

5 And Kyle Pogue will make this presentation.

6 MR. POGUE: Good morning, Chairman Jones and
7 Committee Members. My name's Kyle Pogue with the Office
8 of Local Assistance.

9 The City of Chico's diversion rate for 1999 is 49
10 percent and for 2000 is 48 percent.

11 To determine the level of source reduction and
12 recycling element and household hazardous waste element
13 implementation staff analyzed the historic diversion rate
14 trend, which has consistently exceeded 40 percent and has
15 approached or exceeded the 50-percent goal in three of the
16 six measurement years, and conducted multiple program
17 verification site visits beginning in 1999.

18 Both the jurisdiction's programs and staff
19 analysis of these programs can be found in detail starting
20 on Page 28-3 of your binder.

21 Some of the major programs that have been
22 implemented include:

23 1) A residential curbside recycling and green
24 waste collection program complemented by a variable can
25 rate for disposal;

1 2) Commercial on-site collection of recyclables;

2 3) School and government recycling programs;

3 And, finally, a comprehensive recycling and waste
4 prevention program operated by the Associated Students
5 Recycling Program at Chico State.

6 The City is also claiming biomass diversion
7 credit of 5,682 tons, which raises the City's diversion
8 rate from 44 percent to 48 percent. Staff determined that
9 this biomass claim has been adequately documented.

10 Therefore, staff recommends the Board find that
11 the City of Chico has made a good faith effort in meeting
12 diversion requirements.

13 Representatives from the City -- actually Linda
14 Herman from the City of Chico is available to answer any
15 questions you may have.

16 And this concludes my presentation.

17 CHAIRPERSON JONES: Members, any questions?

18 COMMITTEE MEMBER MEDINA: No questions.

19 Chair Jones, I'd like to move approval of the
20 Resolution 2002-533 for the 1999-2000 biennial review
21 findings for the source reduction and recycling element
22 and household hazardous waste element for the City of
23 Chico, Butte County.

24 COMMITTEE MEMBER EATON: Second.

25 CHAIRPERSON JONES: Got a motion by Mr. Medina, a

1 second by Mr. Eaton.

2 Please call the roll.

3 SECRETARY BAKULICH: Eaton?

4 COMMITTEE MEMBER EATON: Aye.

5 SECRETARY BAKULICH: Medina?

6 COMMITTEE MEMBER MEDINA: Aye.

7 SECRETARY BAKULICH: Jones?

8 CHAIRPERSON JONES: Aye.

9 Put it on consent.

10 I will say -- didn't we have the City of Chico on
11 a compliance order for the 25 percent?

12 I think so.

13 My son was going to school up there. When he
14 ordered service, it was automatic. He got all three bins,
15 no questions asked. So nice job.

16 All right. Next item.

17 DEPUTY DIRECTOR SCHIAVO: Item Number 29 is
18 consideration of the 1999-2000 biennial review findings
19 for the source reduction and recycling element and
20 household hazardous waste element for the unincorporated
21 area of Tuolumne County.

22 And Natalie Lee will make this presentation.

23 MS. LEE: Good morning, Chairman Jones, Committee
24 Members.

25 The County of Tuolumne's diversion rate for 1999

1 is 48 percent, for 2009 is 49 percent.

2 To determine the level of source reduction and
3 recycling element and household hazardous waste element
4 implementation, staff analyzed the historic diversion rate
5 trend, which has been in the mid-fifty percent range for
6 four of the last six years. In 1999 the diversion rate
7 fell below 50 percent to 48 percent and then increased to
8 49 percent in 2000.

9 Staff has also conducted a program verification
10 through communication with county staff over the last few
11 months.

12 Both the jurisdiction's programs and the staff
13 analysis of these programs can be found in detail on Page
14 29-3 in your binder.

15 Some of the major programs that have been
16 implemented include:

17 The opening of the Cal Sierra Materials Recovery
18 Facility in 1995. This facility continued operation after
19 closure of the county's landfill.

20 Buy-back and drop-off programs have been
21 developed to provide recycling opportunities for the large
22 percentage of self-haul consumers in the county.

23 Curbside recycling is now offered to all
24 residents in the county through a blue-bag program. For
25 businesses a variety of options including blue-bag

1 curbside collection are available on a case-by-case basis.

2 Staff recommends that the Board find that

3 Tuolumne County has made a good faith effort in meeting
4 diversion requirements.

5 Mark Rappaport from Tuolumne County is available
6 to answer any questions.

7 This concludes my presentation.

8 CHAIRPERSON JONES: Any questions?

9 Mr. Medina.

10 We do have a speaker. But it's Mark Rappaport to
11 thank staff.

12 We move quickly here, Mark.

13 COMMITTEE MEMBER MEDINA: Excuse me. The only
14 question I had has to do with the revised copy that we
15 were given. I'd just like to know what the revisions are
16 that have been made. And does the resolution remain the
17 same?

18 MS. MORGAN: The revision has to do with the
19 first page. There was a correction in the 2000 diversion
20 rate. It's supposed to be 49 percent. And there is no
21 change to the resolution.

22 COMMITTEE MEMBER MEDINA: Very good. Thank you.

23 MR. RAPPAPORT: Thank you, Mr. Jones. Thank you
24 for the opportunity to address the Board, Mr. Chairman and
25 Members.

1 I just wanted to take a second to thank Natalie
2 for all the help that she's given us in meeting the
3 diversion or getting close to meeting the diversion rate.
4 Exemplary is the help from OLA staff in regard to that.
5 And I'd like to thank the Board for its assistance in this
6 positive consideration of this item.

7 Thank you.

8 CHAIRPERSON JONES: Thank you.

9 I'm surprised you didn't thank me for helping him
10 build that MERF. I put all those programs -- go ahead,
11 get out of here. Go ahead.

12 MR. RAPPAPORT: I wasn't sure if that was
13 appropriate, Mr. Jones. And as long as we're going there,
14 Mr. Brisco says hi.

15 Mr. Medina.

16 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

17 On that note, I'll move Resolution 2002-534,
18 approval of the '99-2000 biennial review findings for the
19 source reduction and recycling element and household
20 hazardous waste element for the unincorporated area of
21 Tuolumne County.

22 CHAIRPERSON JONES: I'll second it.

23 We've got a motion by Mr. Medina, a second by
24 Jones.

25 Substitute the previous roll?

1 On consent?

2 Thank you. So done.

3 Item Number D, which is 30, City of San Marcos.

4 DEPUTY DIRECTOR SCHIAVO: Okay. Items D and E
5 are consideration of the 1999-2000 biennial review
6 findings for the source reduction and recycling element
7 and household hazardous waste element for the cities of
8 San Marcos and Vista in San Diego County.

9 And Zane Paulson will make this presentation.

10 MR. PAULSON: Good morning, Chairman Jones and
11 Committee Members.

12 The City of San Marcos' diversion rate for 1999
13 is 44 percent and for 2000 is 47 percent. And the City of
14 Vista's diversion rate for 1999 is 42 percent and for 2000
15 is 49 percent.

16 To determine the level of source reduction and
17 recycling element and household hazardous waste element
18 implementation staff analyzed the historic diversion rate
19 trends, which has been above 40 percent from 1995 through
20 2000 for both the City of San Marcos and the City of
21 Vista, and conducted program verification site visits in
22 2002.

23 Both of these jurisdictions' programs and staff
24 analysis of these programs can be found in detail on Pages
25 30-3 and 30-4 of your binder for the City of San Marcos

1 and Page 31-3 of your binder for the City of Vista.

2 Some of the major programs that have been
3 implemented include:

4 Residential commingled curbside collection.

5 Residential curbside green waste collection.

6 Commercial on-site collection.

7 Construction and demolition diversion programs.

8 Staff recommends the Board find the cities of San
9 Marcos and Vista have made a good faith effort in meeting
10 diversion requirements.

11 Representatives of the cities of San Marcos and
12 Vista are present to answer any questions.

13 This concludes my presentation.

14 CHAIRPERSON JONES: Any questions, members?

15 Mr. Medina.

16 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
17 to move Resolution 2002-535, approval of the 1999-2000
18 biennial review findings for the source reduction and
19 recycling element and household hazardous waste element
20 for the City of San Marcos, San Diego County.

21 COMMITTEE MEMBER EATON: Second.

22 CHAIRPERSON JONES: We got a motion by Mr.
23 Medina, a second by Mr. Eaton.

24 Substitute the previous roll?

25 On consent?

1 Thank you, members.

2 Mr. Medina.

3 COMMITTEE MEMBER MEDINA: I'd like to move
4 Resolution 2002-536, approval of the '99-2000 biennial
5 review findings for the source reduction and recycling
6 element and household hazardous waste element for the City
7 of Vista, San Diego County.

8 COMMITTEE MEMBER EATON: Second.

9 CHAIRPERSON JONES: I've got a motion and a
10 second.

11 Substitute the previous roll?

12 And put it on consent?

13 Thank you, members.

14 Congratulations to those cities. You had a lot
15 of infrastructure issues over the years. And it's good to
16 see that that all got built up.

17 All right. Item Number 32, Burlingame.

18 DEPUTY DIRECTOR SCHIAVO: Committee Item F is
19 consideration of the 1999-2000 biennial findings for the
20 source reduction and recycling element and household
21 hazardous waste element for the City of Burlingame in San
22 Mateo County.

23 And Keir Furey will make this presentation.

24 MR. FUREY: Good morning, Chairman Jones and
25 Board Members.

1 The City of Burlingame's diversion rate for 1999
2 is 46 percent, for the year 2000 is 47 percent.

3 To determine the level of source reduction and
4 recycling element and household hazardous waste element
5 implementation staff has analyzed the historical diversion
6 rate trends, which have steadily increased from 37 percent
7 in 1995, increasing to 46 percent in 1999 and then moving
8 to 47 percent in the year 2000.

9 Both the jurisdiction's programs and the staff
10 analysis of these programs can be found in detail on Page
11 32-3 of your binder.

12 Some of the major programs that have been
13 implemented include:

14 Residential curbside recycling and green waste
15 programs.

16 Drop-off and recycling programs.

17 Commercial recycling and green waste collection
18 programs.

19 Government source reduction recycling.

20 C&D recycling.

21 And economic incentives.

22 Because of this, the jurisdiction is adequately
23 implementing its SRRE and HHWE, staff recommends the Board
24 find that Burlingame has made a good faith effort in
25 meeting its diversion requirements.

1 This concludes my presentation.

2 CHAIRPERSON JONES: Mr. Eaton, did you have a
3 question?

4 COMMITTEE MEMBER EATON: No.

5 CHAIRPERSON JONES: No.

6 Mr. Medina.

7 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
8 to move Resolution 2002-537, approval of the 1999-2000
9 biennial review findings for the source reduction and
10 recycling element and household hazardous waste element
11 for the City of Burlingame, home City of Suzanne Summers,
12 San Mateo County.

13 CHAIRPERSON JONES: Well, I'll second that.

14 Substitute the previous roll?

15 On consent?

16 Thank you, members.

17 Okay. Item G, which is Apple Valley.

18 DEPUTY DIRECTOR SCHIAVO: Okay. This is
19 consideration of the 1999-2000 biennial review findings
20 for the source reduction and recycling element and
21 household hazardous waste element for the town of Apple
22 Valley in San Bernardino County.

23 And Rebecca Brown will make this presentation.

24 MS. BROWN: Good morning, Committee Members.

25 The town of Apple Valley is requesting approval

1 based on good faith efforts. However, Board staff
2 recommends that the town of Apple Valley submit an SB 1066
3 time extension application.

4 The City's diversion rate for 1999 is 39 percent
5 and for 2000 is 43 percent.

6 Staff's analysis indicates that while the town of
7 Apple Valley has adequately implemented its household
8 hazardous waste element and has implemented most of its
9 source reduction and recycling element programs, it has
10 not made all reasonable and feasible efforts to implement
11 its selected diversion programs and has not met the
12 diversion requirements.

13 The town reserved the right to petition for an SB
14 1066 time extension in its annual report if the Board
15 chooses not to accept its request for a good faith effort.

16 The Board staff's recommendation for a time
17 extension is based on staff's review, which indicates that
18 while Apple Valley has implemented some diversion
19 programs, further outreach and promotion of various
20 programs, as well as implementation of programs selected
21 in its source reduction and recycling element, would
22 improve program effectiveness.

23 In addition, source reduction and recycling
24 element selected programs that have been implemented
25 mostly target the residential sector, and further outreach

1 is needed to capture more of the commercial sector.

2 Board staff have identified possible programs
3 that Apple Valley could choose to implement for increased
4 diversion, which are outlined in the agenda item.

5 During evaluation of program implementation,
6 Board staff also learned that since 2000 the town has
7 continued to expand its program implementation, and feels
8 that these programs could be included in an SB 1066 plan
9 of correction. Some of these recommendations include:

10 Evaluation of the City's significant self-haul
11 disposal and potential diversion programs.

12 Source reduction and recycling at golf courses
13 and parks.

14 Expansion of drop-off opportunities for some
15 generators such as businesses and multi-family residents
16 who are currently not receiving either curbside collection
17 or a commercial-select routing.

18 Expansion of organics diversion to send more
19 organic materials to the existing composting facility,
20 either via the hauler or via self-haul.

21 Evaluation of organic materials curbside
22 collection and pilot program implementation.

23 Expanded commercial sector outreach to target a
24 larger portion of the commercial sector. Currently only
25 20 percent of businesses have selected to participate in

1 the recycling program as provided by the hauler and/or
2 commercial select routing.

3 And, finally, evaluation and implementation of
4 construction and demolition diversion programs since the
5 town of Apple Valley has planned to increase its emphasis
6 on commercial and industrial development in an effort to
7 strengthen its local economy.

8 Based on a review of the town of Apple Valley's
9 program implementation to date Board staff recommends that
10 the town of Apple Valley submit an SB 1066 time extension
11 request to continue to expand existing programs or
12 implement new programs to meet the 50-percent diversion
13 rate.

14 In addition, staff recommends it work in
15 collaboration with Apple Valley to prepare its SB 1066
16 time extension request and to identify any other
17 opportunities for providing assistance.

18 A representative from Apple Valley is present to
19 answer any of your questions.

20 And this concludes my presentation.

21 Thank you.

22 CHAIRPERSON JONES: Thank you.

23 We actually have three speakers from Apple
24 Valley.

25 John Davis.

1 MR. DAVIS: Good morning, Committee Members. My
2 name is John Davis. I administer the Mohave Desert and
3 Mountain Recycling Authority. Apple Valley's a member and
4 was one of the founding members of that authority.

5 The Authority followed the preparation of a
6 regional source reduction and recycling element. And so
7 I've been involved with Apple Valley really in their
8 issues since the time they incorporated.

9 I think the question here is whether they've made
10 a good faith effort. And, you know, my association leads
11 to believe they have. And perhaps the issue here is a
12 fuller explanation of their programs. You know, I'm
13 prepared to talk about it from the regional standpoint and
14 the issues that I'm aware of.

15 I came before you're Committee I think three
16 months ago and asked whether there was a -- whether the
17 percentage had anything to do with good faith effort, and
18 was assured that it does not. And so I'm confident that
19 we're not really talking about the percentage as much as
20 the scope and effort in implementing their programs.

21 Apple Valley's been part of the Mohave Desert
22 Recycling Market Development Zone as well as the regional
23 authority; which I administer both of those. They've been
24 supportive and have been instrumental in bringing a
25 regional composting facility to the high desert, which was

1 not an easy task given the lack of green waste. Since
2 residential is about 75 to 80 percent of Apple Valley's
3 wastestream, at least from the current records that we
4 have, it's -- and in the absence of green waste, you can
5 see where we struggled to come to grips with how we get
6 over that 50 percent number. I think you all could
7 recognize with a residential stream that size, a diversion
8 rate of 43 percent, if you had a typical green waste
9 program, we wouldn't be standing here asking for your
10 consideration.

11 Nonetheless they've taken the steps that they
12 said they would take. We have monthly meetings at the
13 Victor Valley Materials Recovery Facility. Apple Valley
14 has an undivided 50-percent ownership of that facility;
15 Apple Valley and Victorville secured bonds issued by the
16 JPA to construct that facility. We've met monthly for the
17 last six years to try to best utilize the facility.

18 We've dealt with issues of construction and
19 demolition material. We've dealt with organics material.
20 We've tried to find ways to make those work effectively.
21 We now have wood outlets. We have concrete and asphalt
22 outlets, which we did not have in 1990. And it's largely
23 due to the efforts that were done regionally and with
24 Apple Valley's leadership really. The first Chair of our
25 Authority was a councilwoman from Apple Valley who later

1 became a county supervisor.

2 So they've been instrumental in getting those
3 facilities in place. And I can guarantee you that on a
4 monthly basis we struggle at how to expand the activities
5 there.

6 I think the regional issues that most impact
7 Apple Valley right now is the self-haul. We did not
8 anticipate when that SRRE was done that we would see up to
9 20 percent self-haul, but that's what's being reported.
10 And in the absence of a real active diversion in
11 intercepting material, we've done everything we can to let
12 people know. I think -- the contractors know. You don't
13 need to take wood to the landfill and pay \$35 a ton when
14 you can take it to the regional compost facility and pay
15 \$15 to \$20. You don't need to take asphalt and concrete
16 to the landfill and pay \$35 a ton when you can take it to
17 As-Con or the other asphalt concrete recycling operations
18 and pay \$15 a ton.

19 So the word is out. We've done all that we can.
20 And I think if that's the measure of good faith effort, I
21 really think that Apple Valley has done that. And if we
22 just haven't been able to tell a convincing enough story,
23 we've got a lot of information to share with you.

24 So thank you.

25 CHAIRPERSON JONES: Thanks.

1 Any questions?

2 Thank you.

3 I do have one question for our staff.

4 We've got a letter from the City, and then Mr.

5 Davis just said that their residential stream -- the

6 letter said 77 percent. He just said between 75 and 80

7 but our analysis is 60 and 40.

8 MS. WILLMON: Yeah, I spoke with the City earlier
9 this week and they -- oh, Tabetha Willmon from the Office
10 of Local Assistance -- they indicated that they have more
11 recent data. Our data is from our database, which is the
12 original SRRE solid waste generation study breakout of
13 residential-nonresidential. The City says that it has
14 some more current data, and they would like to have that
15 changed. So we are looking into, you know, changing that
16 for their residential-nonresidential sector.

17 CHAIRPERSON JONES: Okay. Because it does make
18 it a little different.

19 MS. WILLMON: It does make a difference.

20 And just to add to that. When we ran the
21 calculator using those updated residential-nonresidential
22 tonnages, it brought them down to a 42 percent diversion
23 rate. So I'm not --

24 CHAIRPERSON JONES: Gotcha. I just mean for
25 planning -- for planning, you know --

1 MS. BROWN: We don't know when the
2 residential-nonresidential sector changed over time from
3 1990 through when it is now the 77-23. So that's
4 something that we need to look at. If that was a change
5 that's more recent than 2000, then -- certainly we don't
6 want to backtrack and lower the diversion rate when
7 it's -- that's not where we'd like to see it happen.

8 CHAIRPERSON JONES: Gotcha.

9 Okay. Diana McKeen.

10 MS. McKEEN: Chairman, Committee, thank you for
11 letting me be here today.

12 I've appreciated working with staff. And I think
13 the majority of the staff report is correct. I would
14 suggest that the conclusions they draw from the data may
15 not be correct.

16 But just starting at their proposed plans one at
17 a time, they do point out that over 8,000 tons of
18 self-haul is doing an end-run around town control and
19 going directly to the landfill where there are minimal, if
20 any, diversion opportunities for recycling. If only half
21 of that material were recycled, that would be another over
22 five points of diversion for the town of Apple Valley.
23 But that's something that I cannot do and the jurisdiction
24 cannot do on its own.

25 They point out green waste opportunities, and

1 they also point out that this is a desert. We don't have
2 a whole lot of natural green stuff growing. And in 1990
3 we passed an ordinance requiring xeroscaping be put in 50
4 percent of all model homes that were installed. Not so
5 much because we were worried about green waste back then,
6 but because of the cost of water, an effort to conserve
7 water.

8 Also in 1996 an ordinance went in allowing us to
9 burn dried vegetation along with tumbleweeds, which have
10 always been burned. So with our half acre and one acre
11 and five acre lots there's a lot of agricultural burning
12 that goes on too. So there goes some of the green waste.

13 And we have tried along with the City of
14 Victorville, with whom we do most of our programs, we've
15 tried a free green waste drop off at the MERF. Since
16 we're the landlords the MRF's real good about trying
17 different types of programs, and this is something that
18 has just gone -- you know, no one was interested in
19 bringing in green waste and hauling.

20 Another point staff brought up was the
21 possibility for drop-off centers. And I am personally
22 trying to encourage the businesses to enact recycling on
23 site. And I can't see how a drop-off center to which they
24 have to carry materials would be more convenient than
25 on-site recycling. So I'm not sure about how effective

1 that would be.

2 They point out the composting facility, which we
3 are getting some C&D diversion out there because they will
4 take wood and gypsum and at a lower cost than the tipping
5 fee of the landfill. But in all of 2000 only 920 tons of
6 C&D went to the landfill. And I'm sure not all of that
7 was recyclable or compostable. There's a lot of
8 nylon-type packing stuff and left over PVC and stuff like
9 that from construction sites.

10 And one of the problems with Apple Valley trying
11 to capture C&D is that we're largely a residential
12 community. We don't have curb and gutter. We don't have
13 tracts of homes going at any time. We have like one
14 custom -- a big project for us is like five custom homes
15 being scattered all over the place. It's not like, say,
16 Victorville. We compare ourselves with Victorville a lot
17 because we've got the same geography and close to the same
18 number of people. But they vastly outnumber us in terms
19 of commercial.

20 And the commercial that we're going for, the
21 staff report points out that our hauler provides 605
22 disposal accounts to businesses and 122 recycling accounts
23 to businesses. But Apple Valley only has 102 businesses
24 that have 11 or more employees. Most of our businesses
25 are service organizations.

1 The big businesses that we do have -- we've got
2 three large department stores, three grocery stores --
3 they bale and back haul their cardboard. They have
4 on-site recycling plants of their own. And so those
5 aren't even named in our commercial recycling, and yet
6 they're doing tons and tons of pickup stuff. So, you
7 know, it looks like we're not doing the recycling that we
8 are in the commercial sector.

9 And I already spoke to C&D. We capture what we
10 can because of the price differential, because it is
11 cheaper to take stuff to As-Con or to Cal Biomass than it
12 is to take it to the landfill.

13 And we in addition to participating in the Mohave
14 Desert and Mountain JPA, Apple Valley is part of the
15 zero-waste communities, 15 communities in San Bernardino
16 County that have signed a waste delivery agreement that
17 takes all of our waste to San Bernardino County landfills.
18 And, believe me, we have been pushing the county for
19 on-site recycling opportunities for a long time.

20 Now, the county recently hired a new manager.
21 They've been dealing with an interim manager of solid
22 waste division for some time now. And they recently hired
23 a new manager. And we have good hopes that he will work
24 with us and establish some opportunities for on-site
25 recycling.

1 Other than that, self-haul is the bane of my
2 existence. And I appreciate the Board for recognizing
3 that.

4 CHAIRPERSON JONES: Thank you.

5 Any questions?

6 Thank you very much.

7 Eric Herbert.

8 MR. HERBERT: Good morning. For the record, Eric
9 Herbert from Burrtec Waste Industries, also the proud
10 hauler at the town of Apple Valley, also next door at the
11 City of Victorville.

12 My comments I'll try to make brief. But I think
13 that the key here is is that there are some differences in
14 our opinion and the town's opinion about what's really
15 going on in the town of Apple Valley versus what's
16 reflected in your staff report.

17 And I'd like to stand here and request, which we
18 have requested and the town's requested, that a good faith
19 effort be granted for terms of compliance for the
20 1999-2000 period for the town of Apple Valley. I'm not
21 too sure, given everything that's in the staff report, you
22 know, that that's possible. I think based on the
23 testimony maybe you can get there, but I'm not sure that's
24 the way you want to approach things.

25 So I don't know if we want to, you know, go

1 through the different issues as far as debating the points
2 and what really is there and what's not there. And maybe
3 the better course of action or one I might suggest is is
4 that if we take a month continuance and have staff meet
5 again with Burrtec and the town and work through some of
6 these things, maybe we can do a more accurate portrayal of
7 all the programs that are going on. Because I think if we
8 were to leave it the way it is, I think that there would
9 still be some misunderstandings about the programs that
10 are in place and what the town's proposing to do as they
11 go forward, and I don't think we want that to be the case.
12 Whether we do a good faith or a 1066 extension, I think we
13 still want to focus on what is the town about and what is
14 it going to do and what is it doing.

15 You know, the town of Apple Valley, you know,
16 compared to the City of Victorville is the bedroom
17 community. It's large ranchos, it's -- you know, as Diana
18 said, you know, there's not a lot of development, there's
19 not a lot of commercial -- very, very little commercial.
20 It's always been that way. There's been more commercial
21 development in the recent years than there were previously
22 when it incorporated back in the late eighties.

23 But the town way back when enacted mandatory
24 collection. So for 20 percent of the City's waste to show
25 up at the county landfill, which is in Victorville, and

1 have it credited to the town of Apple Valley as being all
2 self-haul, when everybody in that town not only has
3 collection -- mandatory collection, it's mandatory pay.
4 You don't pay, it goes on your tax bill. So these people
5 have trash service. How it all ends up and the landfill
6 credited to the town of Apple Valley, I don't know. But
7 to say that there needs to be more work on the town's part
8 to try to fix what is really a landfill reporting issue, I
9 don't think is a fair approach.

10 The other is is there is a significant difference
11 between what, 60 percent commercial or 77 percent
12 commercial. The commercial sector has grown, not
13 decreased. So that 77 percent residential is significant.
14 I hope I said that right, 77 percent residential as
15 opposed to the commercial.

16 But then when you look at what commercial there
17 is, I mean if you look around the town of Apple Valley,
18 it's not, you know, lots of big commercial centers and
19 lots of, you know, heavy commercial users. It's, you
20 know, small businesses. They have one bin. To say that
21 staff needs to do more work and as far as working outreach
22 with the customers, I'm here to tell you we spent two
23 solid months going to everyone of those commercial
24 accounts in 1999 to get them to sign up for recycling
25 services. We got some of them to do it because it worked.

1 You know, they saw the incentive, they wanted to
2 participate. But the others didn't. The ones that we saw
3 had materials that we felt were worthy of recycling, we
4 throw in a select route and picked it up with the
5 recycling. That's just the way we handled it.

6 But to say we need to do more outreach I think
7 would be undermining what has already gone on.

8 Again, there are things we could go into. I'm
9 not sure if this is the right way to approach that. I
10 just -- I think we all feel somewhat passionate about what
11 we've done, would like that to be understood. And if the
12 numbers in the programs seem a little bit, you know,
13 light, then maybe we need to have the extension. Although
14 I tend to think based upon our experience with all our
15 other communities and what has happened in Apple Valley,
16 that once, you know, the complete picture is laid out, I
17 think the good faith effort should be granted the town of
18 Apple Valley.

19 And I remain available for any questions.

20 CHAIRPERSON JONES: Any questions?

21 Thanks Eric.

22 I think that, you know, with 2202, just so
23 everybody keeps remembering, no matter what course of
24 action we take on any City or county, come back again in
25 two years, and if the numbers dip or the programs go away,

1 then we go back to compliance orders.

2 I am a little -- I'm leaning towards the idea,
3 and I'll see what the other members want to do, of taking
4 a month because -- but I will say one thing. When I
5 talked to our staff about some of the information, that
6 had a hard time getting information. Okay? And I know
7 there's been some changes on the City level, but the
8 hauler, you know, needs to provide the information.
9 Because we get stuck at the dais here sometimes, and staff
10 does the best job they can do, and everybody seems to do
11 the best job, and then it always looks like some numbers
12 didn't show up when they should have.

13 MR. HERBERT: Steve, I'll pledge personally to be
14 involved to make sure they get all the data.

15 CHAIRPERSON JONES: All right. Because it's
16 tough on our staff, it's tough on everybody. I'm not
17 accusing you. I'm just saying, I mean, you know, we've
18 got to get this information, otherwise our staff can't do
19 its job. And we make decisions based on information like
20 that.

21 Do members -- I mean I would like to continue
22 this for a month and see if we can't get this straightened
23 out. Seventy-seven percent residential versus sixty in my
24 mind is a huge issue. Because getting 42 percent of that
25 wastestream is pretty significant. At 40 percent

1 commercial, it's a little different, you know. I mean we
2 should be able to glom onto more of that.

3 How do you feel about that, Mr. Medina?

4 COMMITTEE MEMBER MEDINA: Given the -- of more
5 current information, I have no problem with postponing
6 this a month.

7 CHAIRPERSON JONES: Mr. Eaton.

8 All right. We're going to do --

9 COMMITTEE MEMBER EATON: I'd like to hear from
10 staff --

11 CHAIRPERSON JONES: Staff, what do you think?

12 COMMITTEE MEMBER EATON: No, not about
13 the continuance. About some of the issues raised so that
14 we have a narrowness of the issues.

15 CHAIRPERSON JONES: Based on some of this
16 testimony.

17 MS. WILLMON: I'm sorry, Mr. Eaton, what did
18 you --

19 COMMITTEE MEMBER EATON: Well, some issues were
20 raised. If you want to wait for the continuance and come
21 back at that time, that's fine with me. Whatever you want
22 to do. I just thought you had an opportunity here to
23 either, you know, comment or not. I'm just giving you the
24 opportunity to comment. You don't have to.

25 MS. WILLMON: Yeah. Some of the information that

1 had come out today was, you know, information that we had
2 been trying to get and hadn't gotten as of yet.

3 We have been to the jurisdiction twice and done
4 evaluations. And we see potential for outreach. If
5 there's an issue with the difference in the
6 residential-nonresidential, I'm open to looking at that
7 and looking at any other information that the jurisdiction
8 can provide.

9 But, you know, in looking at this, we were
10 looking at further outreach or how to improve existing
11 programs to make them more effective. We realize that
12 self-haul is a huge issue and we really recommend the
13 jurisdiction look at that. If it is actually a disposal
14 reporting inaccuracy, they -- I would be out at the
15 landfill during the survey week checking to see where this
16 stuff is coming from. And so, you know, those are some of
17 the issues that we are looking at and feel that more could
18 be done to look at these different issues.

19 So I can -- those are just some general things,
20 but I'm happy to look at additional information the
21 jurisdiction has.

22 CHAIRPERSON JONES: Okay. I'm a little bit
23 concerned though that, you know -- if information didn't
24 flow very quickly, you know, that's kind of hard to
25 substantiate good faith effort on, you know.

1 MS. BROWN: I would like to second what Tabetha
2 had to say and indicate that I agree with many of the
3 things that all three speakers said. The town of Apple
4 Valley is doing a very good job. If they were not doing a
5 very good job, they would not be eligible to apply for a
6 time extension. And I have recommended that the town
7 indicate where they are going in a formal document, as
8 opposed to in the informal way by just doing whatever
9 might come along. And I think that it would have been
10 helpful for me to know what their plans are for reaching
11 50 percent, or closer to 50 percent than the 43 percent,
12 by submitting the 1066.

13 If further information indicates that we do have
14 numerical issues based on recording self haul and
15 diversion problems, I think that those two subjects can be
16 dealt with through looking at the tonnage allocation and
17 through looking at what kind of services the county is
18 providing. And that is a consideration to bring forward,
19 with further looking at the other information the City
20 has, the hauler has, and perhaps that the county has. So
21 I have no problem with a continuation for the next month.

22 But I feel that the City has done a good job, and
23 my recommendation is not based on any other consideration
24 except that they have, and I would like to know how they
25 would plan to continue to improve as opposed to not know

1 what's coming for the next biennial review.

2 CHAIRPERSON JONES: Okay. So you can -- you guys
3 both sound like you're a little frustrated with the
4 information exchange, but you're -- not frustrated? Too
5 harsh a word?

6 MS. BROWN: No, I'm not frustrated, no. I think
7 that as time has gone on more people have become aware
8 that we might need more information than we had, and so
9 there just seems to be that lag. But, no, I'm not
10 frustrated.

11 CHAIRPERSON JONES: But you're comfortable with
12 the one month to try to figure this out?

13 MS. BROWN: Um-hmm.

14 CHAIRPERSON JONES: All right. Then we will
15 continue this for a month.

16 DEPUTY DIRECTOR SCHIAVO: We'd like to bring it
17 back in December. That's an earliest --

18 CHAIRPERSON JONES: That's fine. So this item
19 will come back in December. All right?

20 Thanks.

21 All right. Item H, 34, which is the City of San
22 Bernardino.

23 DEPUTY DIRECTOR SCHIAVO: Okay. And Rebecca will
24 be making this presentation regarding the biennial review
25 findings for the source reduction and recycling element

1 for San Bernardino for 1999-2000.

2 MS. BROWN: The City of San Bernardino's
3 diversion rate for 1999 is 46 percent and for 2000 is 46
4 percent.

5 To determine the level of source reduction and
6 recycling element and household hazardous waste element
7 implementation, staff analyzed the historic diversion rate
8 trend, which generally has been trending upwards, and
9 conducted program verification site visit in 2001.

10 Both the jurisdiction's programs and staff
11 analysis of these programs can be found in detail on Page
12 34-3 of the your binder.

13 Some of the major programs that have been
14 implemented include:

15 Residential and commercial curbside recycling.

16 Commercial on-site green waste collection.

17 Materials processing at their materials recovery
18 facility.

19 And composting of city-collected landscaping
20 debris.

21 Staff recommends the Board find that the City of
22 San Bernardino has made a good faith effort in meeting
23 diversion requirements.

24 Representatives from the City are present to
25 answer any of your questions.

1 And this concludes my presentation.

2 Thank you.

3 CHAIRPERSON JONES: Thank you.

4 Any questions?

5 Mr. Medina.

6 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

7 I'd like to move resolution 2002-550, approval of the
8 '99-2000 biennial review findings for the source reduction
9 and recycling element and household hazardous waste
10 element for the City of San Bernardino, San Bernardino
11 County.

12 COMMITTEE MEMBER EATON: Second.

13 CHAIRPERSON JONES: We got a motion by Mr.
14 Medina, a second by Mr. Eaton.

15 Substitute the previous roll?

16 On consent?

17 Thank you, members. So done.

18 Item I, unincorporated Fresno.

19 DEPUTY DIRECTOR SCHIAVO: This is consideration
20 of the 1999-2000 biennial review findings for the source
21 reduction and recycling element and household hazardous
22 waste element and consideration of issuance of a
23 compliance order relative to the 1999-2000 biennial review
24 findings for the unincorporated area of Fresno County.

25 And Cedar Kehoe will make this presentation.

1 MS. KEHOE: Good morning, Chairman Jones and
2 Committee Members.

3 Board staff conducted the 1999-2000 biennial
4 review for the unincorporated area of Fresno County's
5 source reduction and recycling element program
6 implementation and diversion rates achieved. Staff also
7 reviewed the county's SB 1066 time extension request.

8 Staff analysis indicated however that the county
9 had not made sufficient implementation efforts to date to
10 meet a good faith effort. Specifically staff analysis
11 indicated that the county had not made a good faith effort
12 to implement the proposed ordinances, recycling programs,
13 composting programs, and material recovery operations
14 selected in their SRRE.

15 The Board approved staff recommendation at the
16 October -- excuse me. The Board approved staff
17 recommendation at the August 2002 Board meeting that the
18 county's time extension application be denied and that
19 staff be directed to commence the compliance order
20 process.

21 Board staff, therefore, recommended the Board
22 consider issuing the county a compliance order.

23 The county currently has a 39-percent diversion
24 rate for 1999 and 31 percent for 2000.

25 The specific reasons that staff felt the county

1 had not made a good faith effort include:

2 The county's SRRE indicated that the county would
3 conduct a number of feasibility studies and develop a
4 master plan. Prior to 2000 numerous reports were
5 presented to the County Board of Supervisors relating to
6 the approval of various recycling options. However, the
7 County Board of Supervisors determined that it was not
8 practical to carry out most of the proposed programs.
9 Following those County Board of Supervisors' decisions, no
10 alternative programs were ever put in place to promote
11 recycling. The County Board of Supervisors has a history
12 of repeatedly directing county staff to look to the next
13 option, which has resulted in preventing a cost associated
14 with implementation of any programs.

15 The outcome is the county staff appear to be
16 bouncing from one program attempt to the next without
17 significantly implementing any program.

18 For the programs that were attempted by the
19 county, it appears that only minimal efforts were made to
20 implement a program; and when that program failed, no
21 alternative programs were planned or implemented.

22 The county selected to implement curbside
23 recycling; however, because there is a free marketplace,
24 has not set any objectives among haulers to promote
25 recycling. Thus curbside recycling is completely

1 voluntary, with minimal program promotion and
2 participation. Because of the low curbside recycling
3 recovery rates, the county deemed that there is no
4 justification to implement its SRRE-selected material
5 recovery facility.

6 The county SRRE also indicated that the county
7 would participate in a study to address a compost
8 facility. No feasibility or cost-comparison study for the
9 compost facility was done.

10 In 1995 a pilot program was attempted at the
11 landfill. But it was terminated and deemed a failure.

12 The county continued to focus their efforts in
13 only one direction. And when that effort failed, they had
14 no backup plans. So the programs offered to date are
15 virtually the same as they were offered a decade ago.

16 The special waste program selected in the
17 county's SRRE included enactment of a mandatory source
18 separation ordinance for the collection of wood waste and
19 an ordinance requiring separation of C&D wastes. The
20 county did not implement any ordinance directly for wood
21 waste or combined as a C&D ordinance.

22 The staff believes the county issues regarding
23 the discrepancies in the DRS data needed to have been
24 focused on for the county region some years ago, as the
25 problem continues on today.

1 The City of Fresno will be working with the
2 county to resolve the waste origin issues in the upcoming
3 years.

4 Board staff believes the county's earlier efforts
5 were commendable. But the fact that no single significant
6 efforts were made during recent years does not show a good
7 faith effort to actively promote recycling. Instead the
8 county has taken a passive role as they have not set any
9 recycling objectives for any of the local haulers or the
10 businesses.

11 Specifically staff analysis indicated that the
12 proposed ordinances, recycling programs, composting
13 programs, and material recovery operations selected in the
14 SRRE did not occur or briefly occurred with minimal
15 effort.

16 Staff, therefore, recommended that the Board find
17 the county had not adequately implemented its SRRE and
18 approve the attached order of compliance as written, which
19 begins on Page 35 of your binder, to commence the
20 compliance order process.

21 A representatives from the county is present to
22 answer your questions.

23 And that concludes my presentation.

24 CHAIRPERSON JONES: Any questions, members?

25 Okay. We have one speaker. Mr. Richard Brogan.

1 MR. BROGAN: Good morning, Mr. Chairman, Members
2 of the Commission. Richard Brogan, Fresno County Director
3 of Public Works and Planning.

4 And I appreciate the opportunity to stand before
5 you this morning and deliver what I believe is a new
6 message from Fresno County relative to its commitment to
7 diversion within the county.

8 We have a new Board in Fresno County. I believe
9 that we have a new commitment in Fresno county. As staff,
10 we met with our Board of Supervisors one week ago today.
11 And in the meeting we reviewed for the Board a number of
12 options that are included within our source reduction and
13 recycling element program. We discussed with our Board of
14 Supervisors basically four elements: The creation of
15 franchise permit areas; institution of mandatory
16 collection of solid waste and collection of recyclable
17 materials; the establishment of programs for the diversion
18 of green waste; and institution of a construction and
19 demolition debris ordinance.

20 And I want to report to you that our Board was
21 very supportive in giving myself and staff direction to go
22 forward and to explore all of these programs for
23 implementation within Fresno county, and to send a message
24 to your Commission that the county has a commitment to
25 collaboration and a cooperative process through the

1 compliance order as we work our way through that process.

2 Also, at that meeting our Board gave us direction
3 to go ahead and start the noticing process that's required
4 by law relative to establishing franchise or permit areas
5 within Fresno County.

6 And to start meeting with haulers in the county.
7 We have a number of haulers that will be affected by
8 implementation of a franchise or permit area. And to
9 start meeting with our public and in terms of education
10 and letting people know that there's going to be a change
11 that will come about within Fresno County.

12 On our own as staff level, we have two items
13 that -- one is before our Board and one that will shortly
14 come to our Board. We have accepted bids for a
15 self-hauler recycling facility, about a million dollar
16 project, where self-haulers will be directed to go to.
17 And we will do some separation at that point and take the
18 recyclables out of the wastestream.

19 We anticipate that we will hand an item to our
20 Board around the end of this month to award that bid to
21 the low bidder.

22 Secondly, we are currently working on a ordinance
23 to bring to our Board. That will reduce our tipping fee
24 for green waste received at our landfill. And so we're
25 believing that that's going to be a big step encouraging

1 separation and bringing that to our landfill so that we
2 can process it and remove it from the wastestream.

3 I guess it's a little uncomfortable standing here
4 before you this morning and hearing your staff report that
5 Fresno County has been viewed as taking a passive role,
6 unresponsive role relative to source reduction and
7 recycling in Fresno County. But again I would like to
8 close with the commitment from our Fresno County Board of
9 Supervisors that we have a new Board in Fresno County and
10 we have a new direction and we have a new commitment.

11 I'd be happy to answer any questions that you
12 might have at this time.

13 CHAIRPERSON JONES: Any questions from the
14 members.

15 I have two. I have a little experience in Fresno
16 County. I used to put bids together to do programs down
17 there quite a bit.

18 And I'm glad to hear that they're committed, and
19 I'm going to believe that they're committed to complying
20 with this compliance order. They're aware that it is the
21 failure to adhere -- or to do the compliance order that
22 triggers another hearing that triggers the \$10,000 a day
23 fines, correct?

24 Mr. BROGAN: That's correct, Mr. Jones. We have
25 reviewed that with each one of our Board members and with

1 the Board as a whole.

2 CHAIRPERSON JONES: Okay. I think it's -- we
3 want you to be successful in the compliance order, you
4 know what I mean. We don't want to have you back here in
5 a year or two, you know, and having to do this and assess
6 fines. But I wanted to make sure that it was on the
7 record so that you could go back and tell your supervisor
8 that they reminded you of that fact.

9 I'm worried -- and I don't know if the question's
10 for you or if it's for staff or maybe it's for both.
11 Early in AB 939 and while all these programs were being
12 put together there were a lot of small cities in Fresno
13 County that relied on the county. They were told the
14 county was going to do a lot of these programs. And those
15 programs never happened. And I'm wondering -- I know
16 we're going to see some of those cities and -- I know the
17 county's got to take care what the county's got to do, but
18 we need to be aware of those cities that may be in front
19 of us not in compliance with the law, but had a reliance
20 or maybe an excuse -- you know, I'm not sure. We'll have
21 to see on each one. Some could have been honestly relying
22 on the county. Others could have turned that to an excuse
23 of why they didn't do anything.

24 Somehow we've got to figure a mechanism that
25 we're made aware as those items get presented.

1 MS. WILLMON: Absolutely. We've got -- several
2 of those cities have come forward with SB 1066
3 applications because they were under the impression that
4 the county was developing a certain infrastructure. And
5 when that didn't happen, they realized more towards 2000
6 that, you know, they were going to be in trouble. So we
7 do have some of those that have come forward. And we will
8 be presenting that.

9 CHAIRPERSON JONES: Make it part of the
10 description. Because you've got to make a finding that
11 they are trying. And they may be so far behind that may
12 not be real obvious. So we at least have to have an
13 acknowledgement that there was a -- and there may be other
14 cities in JPA's, I'm in the sure. But I'm familiar with
15 this one.

16 So we're going to have to -- you know, I mean
17 hopefully -- I've got faith in you guys. I mean I think
18 you guys will be successful.

19 I'm glad to see the Board of Supervisors
20 committed to doing it.

21 MR. BROGAN: Well, we realize that actions speak
22 louder than words. But we are committed to the actions in
23 Fresno County.

24 CHAIRPERSON JONES: Great. Thank you very much.

25 Mr. Medina.

1 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
2 I'd like to follow Option 1 that staff recommends, that
3 the county has not adequately implemented its SRRE, and
4 approve the attached order of compliance as written. And
5 in that regard I would like to move Resolution 2002-539,
6 approval of the '99-2000 biennial review findings for the
7 source reduction and recycling element and household
8 hazardous waste element and consideration of issuance of a
9 compliance order relative to the '99-2000 biennial review
10 findings for the unincorporated area of Fresno County.

11 COMMITTEE MEMBER EATON: Second.

12 CHAIRPERSON JONES: I've got a motion by Mr.
13 Medina and a second by Mr. Eaton.

14 Substitute the previous roll?

15 On consent?

16 Thank you, members.

17 Item J, City of Clayton.

18 DEPUTY DIRECTOR SCHIAVO: This is consideration
19 of the application for an SB 1066 time extension by the
20 City of Clayton in Contra Costa County.

21 And Eric Bissinger will make his presentation.

22 MR. BISSINGER: Good morning, Board Members. I'm
23 Eric Bissinger with the Office of Local Assistance.

24 The City of Clayton has submitted to the Board a
25 completed SB 1066 time extension request for meeting the

1 50-percent diversion requirement. The City is requesting
2 to extend the due date for achieving 50-percent diversion
3 requirement until December 31st, 2003.

4 The programs identified in that application in
5 the applicant's plan of correction may provide the
6 necessary diversion to move the City to a higher diversion
7 rate. However, staff's analysis of the City's request is
8 that the application does not provide enough information
9 for the Board to adequately justify an SB 1066 request for
10 a time extension.

11 Based on this, Board staff is recommending that
12 the Board disapprove the City's application based on
13 staff's specific reasons and allow the City to revise and
14 resubmit the application within 30 days.

15 That concludes my presentation. And I'd be happy
16 to answer any questions.

17 CHAIRPERSON JONES: Any questions of the members.

18 One question from me. I have no problem with
19 what you're trying to do there.

20 One thing that I didn't -- I saw two things. I
21 saw a five-pound-a-person tonnage generation, which is
22 probably pretty close to being right. But I didn't see
23 any talk about green waste, I don't think. And maybe I
24 missed it. But I made a note to myself on green waste and
25 what we were going to do there. So if I missed it --

1 MR. BISSINGER: Yeah, they have implemented
2 curbside green waste.

3 CHAIRPERSON JONES: It's implemented already?

4 MR. BISSINGER: Yeah, that was one of the things
5 that they were hoping to get them --

6 CHAIRPERSON JONES: -- would get them there?

7 MR. BISSINGER: Yeah.

8 CHAIRPERSON JONES: All right. No other
9 questions?

10 Then we will -- Mr. Medina.

11 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
12 to accept staff's recommendation for Option 5,
13 disapproving the City's application and allowing the
14 jurisdiction to revise and resubmit the application and
15 program information (update PARIS), and for Board staff to
16 meet on site with City staff within 30 days based upon the
17 Board's specific reasons for disapproval. And in that
18 regard I'd like to move Resolution 2002-540, approval of
19 the application for an SB 1066 time extension by the City
20 of Clayton, Contra Costa County.

21 COMMITTEE MEMBER EATON: Second.

22 CHAIRPERSON JONES: We got a motion by Mr.
23 Medina, a second by Mr. Eaton.

24 Substitute the previous roll?

25 On consent?

1 Thank you, members.

2 Next item is the City of Selma.

3 DEPUTY DIRECTOR SCHIAVO: This is consideration
4 of the application for an SB 1066 alternative diversion
5 requirement by the City of Selma.

6 And Cedar Kehoe will make this presentation.

7 MS. KEHOE: Good morning again.

8 The City of Selma in Fresno County has requested
9 an alternative diversion requirement of 40 percent through
10 December 2003. The City built its alternative diversion
11 requirement request off its existing 2000 diversion rate
12 of 27 percent.

13 The City has requested an alternative diversion
14 rate in lieu of the time extension because the City
15 believes that despite its good faith efforts, it will be
16 unable to meet the 50-percent goal.

17 The City has had difficulties reaching the
18 50-percent goal because Selma is a small rural City that
19 does not have staff or resources to promote solid waste
20 reduction programs. In addition, the City relied on the
21 County of Fresno to provide a number of recycling services
22 and a general recycling infrastructure that did not occur.

23 The specific reasons why the City is requesting
24 an ADR are as follows:

25 The City believes that improving their diversion

1 rate from 27 percent to 50 percent in only 3 years is too
2 aggressive of a goal. As the City of Selma relied on the
3 county to develop a certain level of recycling
4 infrastructure and the infrastructure did not materialize,
5 it left the City unprepared to reach the 50-percent goal.

6 The City realized their hauler was not focused on
7 recycling. As such, the City recruited a VISTA volunteer.
8 The City then also implemented a new solid waste hauling
9 contract. And this contract included a number of
10 recycling programs and a rate incentive that the prior
11 hauler did not provide.

12 Additionally, the City has able to get a second
13 VISTA volunteer.

14 The ADR request does seem reasonable since
15 sufficient time is necessary to allow for the new hauler
16 to purchase and distribute the equipment and attract the
17 new curbside recycling collection and multi-family program
18 and to train the new VISTA volunteer.

19 The program selected in the City's goal
20 achievement plan can be found on Page 37-3 of your binder.

21 Board staff has determined that the information
22 submitted within the application are adequately
23 documented. Based on this information Board staff is
24 recommending that the Board approve the alternative
25 diversion requirement of 40 percent as requested by the

1 City.

2 The City's representative, Judy Bier, is here to
3 answer any questions.

4 This concludes my presentation.

5 CHAIRPERSON JONES: Any questions, members?

6 I was at Selma I think on Earth Day, and they had
7 their VISTA volunteer put together a thing in the middle
8 of town. And it was a pretty good event. I enjoyed it.

9 But at least they're working on trying to get
10 stuff done. So that was encouraging.

11 Mr. Medina.

12 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
13 I'd like to follow Option 1 staff recommendation,
14 approving the City of Selma's application and submit it
15 for an alternative to the 2000 diversion requirement on
16 the basis of its good faith effort to implement diversion
17 programs and its plans for future implementation. And in
18 that regard I move Resolution 2002-543, approval of the
19 application for an SB 1066 alternative diversion
20 requirement by the City of Selma, Fresno County.

21 COMMITTEE MEMBER EATON: Second.

22 CHAIRPERSON JONES: I got a motion by Mr. Medina,
23 a second by Mr. Eaton.

24 Substitute the previous roll?

25 On consent?

1 Thank you, members.

2 All right. ITEM Number L, 38, City of Angels
3 Camp.

4 DEPUTY DIRECTOR SCHIAVO: Okay. Items L and M
5 are consideration of the application for a SB 1066
6 alternative diversion requirement for the City of Angels
7 Camp, and then also we're going to be hearing an SB 1066
8 time extension by the unincorporated area of Calaveras
9 County.

10 And Natalie Lee will make these presentations.

11 MS. LEE: Good morning again.

12 First, the City of Angels Camp has requested an
13 alternative diversion requirement of 49 percent through
14 December 31st of 2004.

15 The specific reasons why the City of Angels Camp
16 is requesting an ADR are as follows:

17 First, the City is a rural jurisdiction with
18 dispersed populations; a lower-than-average amount of
19 waste generated; a high number of seasonal residents and
20 vacation properties; and long distance to markets for
21 recycled material.

22 All of these factors have limited the
23 jurisdiction's ability to reach the 50-percent diversion
24 rate. Also, the City is experiencing a high growth rate
25 and is, therefore, dealing with a high quantity of

1 construction and demolition waste.

2 The county on behalf of the City is currently
3 working to address these wastestreams more effectively,
4 but does need time to put these programs into place.

5 The County of Calaveras, which does implement all
6 waste diversion programs for the City of Angels Camp, is
7 currently expanding collection programs. Staff need
8 additional time for these improvements to be completed and
9 the programs to mature. For instance, the county opened a
10 new materials recovery and processing facility in March of
11 2002. This facility serves the City of Angels Camp and
12 the County of Calaveras. The facility will need at least
13 a year for operations to reach full potential and the
14 following year for diversion rates to be accurately
15 evaluated and reported.

16 The county staff has developed a goal-achievement
17 plan for the City which coordinates programs and timelines
18 for consistency throughout the county.

19 The City has also identified biomass diversion,
20 which increased their diversion rate 10 percentage points.

21 The programs listed in the City of Angels Camp's
22 goal-achievement plan are on Page 38-3 of your binder.

23 The City of Angels Camp anticipates achieving a
24 49 percent diversion rate by December 31st of 2004.
25 That's a 9-percent increase from the current diversion

1 rate of 40 percent.

2 In addition, Board staff have requested that the
3 Board approve the addition of three programs to the
4 goal-achievement plan for the City. These programs
5 include increased commercial diversion and outreach and
6 efforts to increase the residential multi-family diversion
7 at condos, vacation homes, senior group housing, and
8 mobile homes.

9 Board staff have determined that the information
10 submitted in the application is adequately documented and
11 prepared and that the biomass tonnage has been
12 sufficiently documented.

13 Based on this information, Board staff is
14 recommending that the Board approve the ADR as requested
15 by the City of Angels Camp, with the addition of the
16 programs identified by staff, and approve the biomass
17 diversion claim.

18 Oh, I'm sorry.

19 In addition, I will address the next Committee
20 Item M for the unincorporated area of Calaveras County at
21 this time.

22 The reasons for the time extension request in
23 this case are very similar to the those requested by the
24 City of Angels Camp in their alternative diversion
25 request. However, the county through their plan of

1 correction should exceed the 50 percent diversion goal by
2 the same timeframe of December 31st, 2004.

3 The programs listed in the county's plan of
4 correction are on Page 39-3 of your binder. The increased
5 diversion rate expected is 9.6 percent.

6 Again Board staff are requesting the addition of
7 these same programs to this plan as those of the City of
8 Angels Camp, again for consistency in program availability
9 throughout the county.

10 The Board staff has also identified that a
11 biomass diversion claim for the county has been submitted
12 as well and has been adequately documented.

13 So at this time Board staff are also requesting
14 that the Committee -- excuse me -- Board staff is
15 recommending that the Board approve the time extension
16 request for the unincorporated area of Calaveras County,
17 with the addition of the three programs to the plan of
18 correction, and find that the biomass diversion claim has
19 been adequately documented.

20 Rob Houten from the County of Calaveras,
21 representing both jurisdictions, is available for
22 questions.

23 And that concludes my presentation, unless I need
24 to clarify the recommendations with two jurisdictions.

25 CHAIRPERSON JONES: Any questions?

1 I will say, that MERF that got built is a nice
2 MERF. It's nice to have parcel fees in rural California.

3 All right. Mr. Medina.

4 COMMITTEE MEMBER MEDINA: Thanks, Chair Jones.

5 I'd like to move that the Board adopt Option 3 on item 38,
6 approving the City's application as submitted, taking
7 into account the recommendations for the implementation of
8 alternative programs that the jurisdiction should add to
9 its plan to be successful. And in that regard I'd like to
10 move Resolution 2002-541, approval of the application for
11 an SB 1066 alternative diversion requirement by the City
12 of Angels Camp, Calaveras County.

13 COMMITTEE MEMBER EATON: Second.

14 CHAIRPERSON JONES: Okay. I've got a motion by
15 Mr. Medina, a second by Mr. Eaton.

16 Substitute -- Mr. Eaton.

17 COMMITTEE MEMBER EATON: Go ahead.

18 CHAIRPERSON JONES: Substitute the previous roll?

19 COMMITTEE MEMBER EATON: I just have one question
20 before we get to the next resolution.

21 You mentioned that there were three programs you
22 wanted to add. The resolution only talks about two. Do
23 we need to revise that resolution?

24 MS. LEE: I'm sorry, sir. For both
25 jurisdictions?

1 COMMITTEE MEMBER EATON: No. I thought you said
2 that we needed three programs. I don't have a problem.
3 I'm just trying to make it so it gets on the record.

4 If you look at Resolution 2002-542, okay, it says
5 that the -- in one of the "whereas" clauses, the last
6 "whereas" clause before the "now therefore" it says --
7 concurs that it will incorporate two additional. But you
8 said there was three.

9 MS. MORGAN: Yeah, Mr. Eaton, you are correct.
10 That should state three, and --

11 COMMITTEE MEMBER EATON: And then what do we need
12 to add just to make it --

13 MS. MORGAN: Just change the 2 to a 3 is what we
14 need to do. We have the multi-family, the increased
15 on-site commercial diversion, as well as the associated
16 outreach.

17 COMMITTEE MEMBER EATON: Okay.

18 MS. MORGAN: Yeah. That is a typo, and that
19 should be three additional things here.

20 COMMITTEE MEMBER EATON: No, that fine. I just
21 wanted to make sure that we got it down.

22 MS. MORGAN: Yeah, you're correct.

23 Thank you.

24 CHAIRPERSON JONES: Thanks, Mr. Eaton.

25 I just want to clean up.

1 On the previous motion of Mr. Medina's with the
2 second of Mr. Eaton, 541, for Angels Camp, going to
3 substitute the previous roll?

4 COMMITTEE MEMBER EATON: That's what we said,
5 yeah.

6 CHAIRPERSON JONES: Okay. And put it on consent.

7 I just wanted to make sure.

8 And then, Mr. Medina or Mr. Eaton, either one, on
9 Calaveras County, Item 39.

10 COMMITTEE MEMBER MEDINA: I'd like to follow the
11 recommendation that the Board approve Option 3 on Item 39,
12 approving the county's application as submitted, but also
13 make recommendations for the implementation of alternative
14 programs, to read that it believes the jurisdiction should
15 add to its plan for it to be successful. And that I'd
16 like to move Resolution 2002-542, with the correction made
17 in the final "whereas" clause of three additional
18 programs, moving the approval of the application for an SB
19 1066 time extension by the unincorporated area of
20 Calaveras County.

21 COMMITTEE MEMBER EATON: Second.

22 CHAIRPERSON JONES: I got a motion by Mr. Medina,
23 a second by Mr. Eaton.

24 Substitute the previous roll?

25 On consent?

1 Thank you.

2 Item O, Number 41, City of Roseville.

3 DEPUTY DIRECTOR SCHIAVO: Okay. This is
4 consideration for the application of a SB 1066 time
5 extension by the City of Roseville.

6 And Kyle Pogue will make this presentation.

7 MR. POGUE: Hello again. Kyle Pogue with the
8 Office of Local Assistance.

9 City of Roseville has requested an extension
10 through December 31st, 2004.

11 The specific reasons the City needs a time
12 extension are as follows:

13 The City was not originally aware that sewage
14 sludge generated by its regional waste water treatment
15 plant located within the City would count towards disposal
16 exclusively for the host jurisdiction. Enhancement in
17 both the diversion captured at the MERF and through the
18 commercial recycling programs was needed to keep pace with
19 the growing community and associated wastestream.

20 Programs listed in the plan of correction start
21 on Page 41-3 of your binder. The City anticipates an
22 11-percent increase in its diversion rate.

23 Additionally, the City is claiming biomass
24 diversion credit of 4,192 tons, which raises the county's
25 diversion rate from 43 percent to 45 percent.

1 Board staff has determined that the information
2 submitted in the application is adequately documented.
3 Based on this information Board staff is recommending that
4 the Board approve the time extension request for the City.

5 Terry Bosick with the City is available to answer
6 any questions you may have.

7 Thank you.

8 CHAIRPERSON JONES: Thanks. I apologize. I had
9 made a mark on Lemon Grove and made a mistake when I
10 called Roseville. So I apologize for messing staff up.

11 So this is Item 41.

12 Members?

13 Motion?

14 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
15 to move that we adopt Option 1. And I'd like to move
16 Resolution 2002-545, approval of the application for an SB
17 1066 time extension by the City of Roseville, Placer
18 County.

19 COMMITTEE MEMBER EATON: Second.

20 CHAIRPERSON JONES: We got a motion by Mr.
21 Medina, a second by Mr. Eaton.

22 Substitute the previous roll?

23 Put it on consent?

24 Thank you. And I apologize for the mistake.

25 Now we'll do Lemon Grove.

1 DEPUTY DIRECTOR SCHIAVO: Well, actually Lemon
2 Grove was pulled. So you did the right thing.

3 CHAIRPERSON JONES: Oh, okay. That's why there
4 was a mark there.

5 Okay. I knew there had to be a reason.

6 All right.

7 DEPUTY DIRECTOR SCHIAVO: Okay. Committee Item P
8 is consideration of the application for an SB 1066 time
9 extension by the City of Daly City, San Mateo County.

10 And Keir Furey will make this presentation.

11 MR. FUREY: Good morning, Chairman Jones and
12 Committee Members.

13 The City of Daly City is requesting a time
14 extension to December 31, 2003. The City's 2000 diversion
15 rate is 23 percent.

16 The specific reasons the City needs a time
17 extension are as follows:

18 To allow new diversion programs to grow in
19 acceptance, practice and yield better results.

20 In addition, a major component of the plan of
21 correction is to intensify public commercial outreach for
22 a number of existing programs. These outreach efforts
23 will be a continuous process that will occur over an
24 extended period of time.

25 The programs listed in the plan of correction are

1 on Page 42-3 of your binder. The City anticipates a
2 33-percent increase in its diversion rate.

3 Board staff has determined that the information
4 submitted in the application is adequately documented.

5 Board staff is also recommending that an
6 additional program be included in the City's plan of
7 correction, specifically an education and outreach program
8 to target non-English speaking population as the City
9 identified as one of its barriers to program
10 implementation.

11 Based on this information Board staff is
12 recommending that the Board approve the time extension
13 request for the City.

14 A representative for the City is present.

15 This concludes my presentation.

16 CHAIRPERSON JONES: Any questions, members?

17 Mr. Medina.

18 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
19 to move that we adopt Option 3, Board approving City's
20 application as submitted and making recommendations for
21 the implementation of alternative programs that the
22 jurisdiction should have for its plan to be successful.
23 In that regard I'd like to move Resolution 2002-546,
24 approval of the application for SB 1066 time extension by
25 the City of Daly City, San Mateo County.

1 COMMITTEE MEMBER EATON: Second.

2 CHAIRPERSON JONES: We've got a motion by Mr.
3 Medina, a second by Mr. Eaton.

4 Substitute the previous roll?

5 Put it on consent?

6 Okay. We're going to take about a 10-minute
7 break. We'll be back here according to this clock at
8 about 20 minutes till.

9 (Thereupon a brief recess was taken.)

10 CHAIRPERSON JONES: Okay. We're back.

11 Any ex partes?

12 Mr. Eaton.

13 COMMITTEE MEMBER EATON: None.

14 CHAIRPERSON JONES: Mr. Medina.

15 COMMITTEE MEMBER MEDINA: None to report.

16 CHAIRPERSON JONES: Okay. I just had a
17 conversation with Mr. Cupps about life in general.

18 Okay. Item number Q, unincorporated Solano,
19 right?

20 DEPUTY DIRECTOR SCHIAVO: Yeah, this is an
21 application on an SB 1066 petition.

22 And Nikki Mizwinski will be making this
23 presentation.

24 MS. MIZWINSKI: Good morning, Chairman Jones,
25 Committee Members.

1 The unincorporated area of Solano County has
2 submitted to the Board a completed SB 1066 time extension
3 request for meeting the 50-percent diversion requirement.
4 The county is requesting to extend the due date for
5 achieving the 50-percent diversion requirement until June
6 30th, 2004.

7 The programs identified in the application's plan
8 of correction may provide the necessary diversion to move
9 the county to a hire diversion rate. However, staff's
10 analysis of the county's request is that the application
11 does not provide enough information for the Board to
12 adequately justify its SB 1066 request for a time
13 extension.

14 Based on this, Board staff is recommending that
15 the Board disapprove the county's application, based upon
16 the Board's staff's specified reasons, and allow the
17 county to revise and resubmit the application within 30
18 days.

19 That concludes my presentation. I would be happy
20 to answer any questions.

21 CHAIRPERSON JONES: Okay. Any questions of the
22 members?

23 I have no speaker slips.

24 Okay. Mr. Medina.

25 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like

1 to move that we adopt Option 5 disapproving the county's
2 application. And in that regard I'd like to move
3 Resolution 2002-547, approving the application for an SB
4 1066 time extension by the unincorporated area of Solano
5 County.

6 COMMITTEE MEMBER EATON: Second.

7 CHAIRPERSON JONES: We got a motion by Mr.
8 Medina, a second by Mr. Eaton, to disapprove the
9 application.

10 Substitute the previous roll?

11 On consent?

12 Thank you, members.

13 Item R, 44.

14 DEPUTY DIRECTOR SCHIAVO: Okay. We'd like to
15 combine Items R and S. And these are consideration of the
16 applications for an SB 1066 time extension by the cities
17 of Redlands and Ontario in San Bernardino County.

18 And Rebecca Brown will make this presentation.

19 MS. BROWN: The following cities have requested
20 SB 1066 time extensions: The City of Ontario through
21 December 31st, 2003, and the City of Redlands through
22 October 31st, 2004.

23 The specific reasons these jurisdictions need a
24 time extension are:

25 The City of Ontario initiated new programs in

1 2000 and has requested additional time to allow for
2 further expansion of those programs and more reporting
3 time for data to assess any weaknesses and make changes to
4 the plans if those are found.

5 The City of Redlands estimates that it will take
6 approximately two years from inception of the program in
7 2002 to triple the number of commercial accounts serviced
8 by the City's collection program. And the construction
9 pad for landfill salvaging at Redlands will begin in the
10 spring of 2003 and diversion impacts from the program are
11 not expected until 2004.

12 The programs listed in the jurisdictions' plans
13 of correction and the respective anticipated percent
14 increase in diversion rates are on Pages 44-3 and 45-3 of
15 your binders.

16 Board staff has determined that the information
17 submitted in both applications is adequately documented.

18 Add based this information Board staff is
19 recommending that the Board approve the time extension
20 requests for these jurisdictions.

21 Representatives from both jurisdictions are
22 present to answer any of your questions.

23 This concludes my presentation. Thank you.

24 CHAIRPERSON JONES: Questions from the members?

25 Mr. Medina.

1 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
2 to move that we adopt Option 1 approving the City's
3 application as submitted for an extension to the 2000
4 diversion requirements on the basis of its good faith
5 effort to date to implement diversion programs and plans
6 for future implementation. And I move adoption of
7 Resolution 2002-548, approval of the application for SB
8 1066 time extension by the City of Redlands, San
9 Bernardino County.

10 COMMITTEE MEMBER EATON: Second.

11 CHAIRPERSON JONES: We got a motion by Mr.
12 Medina, a second by Mr. Eaton.

13 We'll substitute the previous roll and put it on
14 consent.

15 Mr. Medina.

16 COMMITTEE MEMBER MEDINA: On Item 45, move
17 approval of Option 1, approving the City's application on
18 the basis of its good faith effort; and move Resolution
19 2002-549, approval of the application for SB 1066 time
20 extension by the City of Ontario, San Bernardino County.

21 COMMITTEE MEMBER EATON: Second.

22 CHAIRPERSON JONES: We got a motion by Mr.
23 Medina, a second by Mr. Eaton.

24 Substitute the previous roll?

25 Put it on consent?

1 I just wanted to say, Gary, keep working.

2 And then, Ontario, when we went through the
3 compliance you told us you were going to buy the trucks,
4 put in the programs. And, congratulations. I know you're
5 on your way, and we appreciate that effort. So thanks.

6 All right. Item T, Desert Hot Springs.

7 DEPUTY DIRECTOR SCHIAVO: And this is an
8 application for an SB 1066 time extension.

9 And Melissa Vargas will make this presentation.

10 MS. VARGAS: Good morning, Chairman Jones and
11 Committee Members.

12 The City of Desert Hot Springs is requesting an
13 extension through December 31st, 2003. The City's SB 1066
14 application reflects a 27-percent diversion rate.
15 However, their diversion rate is actually 28 percent.

16 Staff has contacted the City, informed them of
17 the one percent difference. The City concurs with the
18 28-percent diversion rate.

19 The City identified several factors that have
20 contributed to the City not achieving the 50-percent goal
21 and has incorporated these areas into their program
22 enhancement. The Specific reasons the City needs a time
23 extension are as follows:

24 The City will expand this program by increasing
25 the recycling container sizes from 17 gallons to 90-gallon

1 wheel carts for all residents, and expand types of
2 materials collected.

3 The City will draft a new C&D ordinance which
4 will require all C&D material to be recycled through the
5 City's franchise hauler. This new program will provide
6 businesses with the means of source separating their C&D
7 recyclable materials and will be augmented by a new
8 pricing structure to provide incentives for recycling.

9 The City will provide restaurants and
10 establishments with food preparation operations, a food
11 waste composting program which will divert their food
12 waste to a composting facility. This program will offer a
13 price incentive for businesses to recycle their food
14 waste.

15 The City will be working with the school district
16 to implement expanded source reduction and recycling
17 programs in order to divert recyclable materials from the
18 landfill.

19 The City will provide businesses with a new
20 wood-waste recycling program, which will divert wood waste
21 from C&D landscaping projects to composting facilities.

22 The City will also expand the recyclable
23 materials list in order to divert more materials from the
24 landfill.

25 The programs listed on the plan of correction are

1 on Page 46-9 of your binder.

2 The City anticipates a 27-percent increase.

3 Board staff the determined that the information
4 submitted in the application is adequately documented.

5 Based on this formation Board staff is recommending that
6 the Board approve the City's time extension request.

7 This concludes my presentation.

8 Representatives for the City are available to
9 answer your questions.

10 CHAIRPERSON JONES: Members, any questions?

11 Mr. Medina.

12 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
13 to move that the Board adopt Option 3 approving the City
14 of Desert Hot Springs, Riverside County, application as
15 submitted, and including recommendations for the
16 implementation of alternative programs that the
17 jurisdiction should add to its plan for it to be
18 successful. And I'd like to move Resolution 2002-551,
19 approval of the application for a 1066 time extension by
20 the City of Desert Hot Springs, Riverside County.

21 COMMITTEE MEMBER EATON: Second.

22 CHAIRPERSON JONES: We got a motion by Mr.
23 Medina, second by Mr. Eaton.

24 Substitute the previous roll?

25 Put it on consent?

1 Thank you, members.

2 Item U, Number 47.

3 DEPUTY DIRECTOR SCHIAVO: Okay. We'd like to
4 combine U and Committee Item V, which are consideration of
5 applications for an SB 1066 time extensions by the cities
6 of Stanton and Mission Viejo in Orange County.

7 And Melissa will make these presentations.

8 MS. VARGAS: Good morning again.

9 This cities of Stanton and Mission Viejo have
10 both requested extensions through December 31st 2003. The
11 cities have identified several factors that have
12 contributed to the cities not achieving the 50-percent
13 goal and have incorporated these areas into their program
14 enhancement.

15 The specific reasons Stanton needs a time
16 extension are as follows:

17 The City's MERF has place limitations for
18 processing green waste. The MERF has designated a larger
19 area of the facility to provide easier traffic access for
20 receiving and grinding green waste.

21 The City's MERF has space limitations for
22 processing C&D materials. The MERF has reconfigured the
23 facility tip floor to allow more loads of C&D material to
24 be segregated and diverted.

25 High contamination of recoverable materials. The

1 City's MERF will construct a new paper recovery sort line
2 to divert additional recoverable material. In addition,
3 commercial routes will be rerouted in order to avoid high
4 contamination of recoverable materials.

5 The programs listed in the plan of correction are
6 on Page 47-8 of your binder.

7 The City of Stanton anticipates a 15-percent
8 increase.

9 The specific reasons Mission Viejo needs a time
10 extension are as follows:

11 The City needs the additional time to allow for
12 full implementation of the residential curbside pickup,
13 residential curbside green waste, and commercial on-site
14 pickup programs. This amount of time will also allow the
15 City to evaluate the effectiveness of these programs.

16 The programs listed in the plan of correction are
17 on Page 48-9 of your binder.

18 The City anticipates an 8 to 11-percent increase
19 in its diversion rate.

20 Board staff has determined that the information
21 submitted in the applications are adequately documented.
22 Based on this information, Board staff is recommending
23 that the Board approve both time extension requests.

24 This concludes my presentation.

25 Representatives from the cities are available to

1 answer your questions.

2 CHAIRPERSON JONES: Members, any questions?

3 COMMITTEE MEMBER MEDINA: No questions.

4 CHAIRPERSON JONES: Mr. Medina.

5 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
6 to move that the Board adopt Option 1, approving the City
7 of Stanton's application as submitted on the basis of its
8 good faith effort. And I would like to move Resolution
9 2002-552, approval of the application for a 1066 time
10 extension by the City of Stanton, Orange County.

11 COMMITTEE MEMBER EATON: Second.

12 CHAIRPERSON JONES: We got a motion by Mr.
13 Medina, a second by Mr. Eaton.

14 Substitute the previous roll?

15 Put it on consent?

16 Thank you, members.

17 And Item Mission Viejo.

18 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
19 to move adoption of Option 3. And also I would like to
20 move Resolution 2002-553, approval of the application for
21 a 1066 time extension by the City of Mission Viejo, Orange
22 County.

23 COMMITTEE MEMBER EATON: Second.

24 CHAIRPERSON JONES: I got a motion by Mr. Medina,
25 a second by Mr. Eaton.

1 Substitute the previous roll?

2 Put it on consent.

3 Thank you, members.

4 Okay. Now, you want to hear AG prior to this,
5 correct?

6 DEPUTY DIRECTOR SCHIAVO: Yes.

7 CHAIRPERSON JONES: Okay. So we're going to
8 hear -- AG is Number 59 in our book.

9 DEPUTY DIRECTOR SCHIAVO: And this is
10 consideration of a request to change the base year to 2000
11 for the previously approved source reduction and recycling
12 element for the City of Alhambra.

13 And Steve Uselton will make this presentation.

14 MR. USELTON: Good morning, Committee Chair and
15 Board Members.

16 The City of Alhambra has requested a change in
17 their base year from the year 1990 to 2000. The City of
18 Alhambra originally submitted a new base year change
19 request with a diversion rate of 31 percent for 2000. And
20 as part of the base year study review, Board staff
21 conducted a detailed site visit and review of study
22 supporting documentation.

23 Board staff-proposed changes to the City's
24 submitted study are detailed in Attachment 3 of this item.
25 With these changes, Alhambra's diversion rate for 2000

1 would be 23 percent.

2 To estimate waste generation in 2000 the City
3 used disposal data from the Board's disposal reporting
4 system and collected diversion information from program
5 activities including residential curbside recycling and
6 green waste collection, buy-back centers, commercial
7 on-site and MERF processing, grass cycling and inert
8 recycling.

9 Staff completed this site visit in 2002 to verify
10 these diversion activities.

11 Board staff is recommending Option 2 of the
12 agenda item, which would approve the revised new base year
13 with staff's recommendations.

14 The City has also submitted a time extension
15 request that describes additional program implementation
16 that has occurred since 2000. These programs are not
17 considered in this item as they did not impact the
18 diversion rate for the new 2000 base year requested. The
19 City's time extension application will be presented in a
20 separate item at today's meeting.

21 A representative from the jurisdiction is present
22 to answer any questions.

23 And this concludes my presentation.

24 CHAIRPERSON JONES: Okay. Does anybody want to
25 speak on this issue?

1 Any questions?

2 Mr. Medina.

3 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
4 to move Resolution 2002-565, approval of a request to
5 change the base year to 2000 for the previously approved
6 source reduction and recycling element for the City of
7 Alhambra, Los Angeles county.

8 COMMITTEE MEMBER EATON: Second.

9 CHAIRPERSON JONES: We've got a motion by Mr.
10 Medina, a second by Mr. Eaton.

11 Substitute the previous roll?

12 On consent?

13 Thank you members.

14 Now, we go back to item W.

15 DEPUTY DIRECTOR SCHIAVO: And Item W is a request
16 for a time extension by the City of Alhambra.

17 And Steve will make this presentation.

18 MR. USELTON: The City of Alhambra has requested
19 a time extension through such time that the 2001 diversion
20 rate data is made available. And Board staff is
21 recommending that the City be granted a time extension
22 through December 31st, 2003.

23 The reason that the jurisdiction needs a time
24 extension are as follows:

25 It will need to monitor the effectiveness of

1 programs that were fully implemented in 2001, including an
2 expanded residential and green waste recycling program
3 that includes additional capacity and use of an automated
4 curbside recycling system, processing of all commercially
5 collected waste including C&D, and these materials were
6 being hauled by the exclusive franchise hauler and taken
7 to a material recovery facility; any new construction and
8 demolition ordinance that requires the use of the
9 franchise hauler, who will then route these materials to a
10 material recovery facility or requirements on self-haulers
11 that requires them to participate in diversion activities.

12 The programs listed in the jurisdiction's plan of
13 correction and their respective anticipated percent
14 increase in diversion rates are provided in the table
15 included in this agenda item.

16 Board staff has determined that the information
17 submitted in the application is adequately documented.
18 And based on this information Board staff is recommending
19 that the Board approve the time extension requests for the
20 City of Alhambra.

21 A representatives for the jurisdiction is
22 available.

23 CHAIRPERSON JONES: Okay. We have one speaker.

24 Members, any questions?

25 COMMITTEE MEMBER EATON: Just of staff. I'm

1 interested because I look here at the primary diversion
2 program information, I see that what they have proposed is
3 48-percent increase in diversion. So I was just wondering
4 because it's the first time I've seen where we have --
5 where if you look at their commercial, you said they're
6 going to get an extra 21 percent and you get their
7 construction demolition another 21 percent, that would
8 give them 42 percent.

9 So what does staff believe -- in those two
10 programs they get 42 percent when they've been -- I mean I
11 don't have a problem giving them an extension. I'm just
12 kind of amazed that you could -- I've never seen any
13 program get 21 percent.

14 MR. USELTON: Board Member Eaton, the estimated
15 percentages of 21 percent are for both the commercial
16 on-site collection and the C&D processing programs
17 combined together.

18 COMMITTEE MEMBER EATON: Okay. So that's 21
19 percent.

20 MR. USELTON: And all of that material will be
21 routed through the material recovery facility.

22 COMMITTEE MEMBER EATON: So it's 27 percent with
23 the curbside and the other?

24 MR. USELTON: Yes.

25 COMMITTEE MEMBER EATON: Okay. If you document

1 it, you document it.

2 CHAIRPERSON JONES: Okay. I have a speaker,
3 Alyson Burleigh from Salt Lake City, Utah, presently.

4 MS. BURLEIGH: Good morning, Chairman Jones,
5 Board Members. I'm Alyson Burleigh from Aurora
6 Environmental, Inc., representing the City of Alhambra
7 today. And the City would like to thank the Board staff
8 for their assistance with this item and the Board's
9 consideration of the time extension request.

10 And the City would also like to request at the
11 same time -- it's very generous extending the extension
12 beyond what the City has requested, from 2000 and 2001 all
13 the way to 2003. So the City would like to request that
14 since they have already implemented the plan of correction
15 in 2000 and 2001, that some of the paperwork requirements
16 be eliminated such as the six-month progress reports.

17 CHAIRPERSON JONES: I think we ought to -- we
18 just had a bad precedent -- is it a progress report on --

19 DEPUTY DIRECTOR SCHIAVO: -- Implementation.

20 CHAIRPERSON JONES: -- on implementation, right?

21 MS. BURLEIGH: It's the six month versus the
22 annual reports.

23 DEPUTY DIRECTOR SCHIAVO: Now with the
24 variability of programs and disposal, we'd have a concern.
25 We're requiring everybody to do six-month reporting.

1 CHAIRPERSON JONES: Okay. Yeah, I think we've
2 got to stay at six months. We've got a long way to go on
3 Alhambra. And I think we need to know. And that would --
4 that was actually a direction from the Board. It was this
5 Board that when staff originally came with annual
6 reporting requirements, all of the members felt that it
7 was critical to be made aware sooner than later, because
8 we didn't want to see failure. And I'm hoping -- these
9 aren't that onerous. I mean we're talking just a progress
10 report. We're doing that because of the time frames
11 involved, and we wanted to be able to be made aware and --
12 you know, if a second round of extension has to come
13 through, or to be aware of hiccups in the program. So
14 that they became exposed to cities, the haulers, everybody
15 involved, so nobody got surprised.

16 So really that was direction from the Board. And
17 I don't think this Committee -- has anybody inclined to
18 change in that direction?

19 I think we've got to say with that Alyson.

20 MS. BURLEIGH: Okay. We just wanted to request
21 that because the plan of correction was implemented in
22 2000 and 2001. And the Board staff has changed the
23 recommendation or changed the extension. The City only
24 requested an extension through 2001. And the Board staff
25 has changed it to 2003.

1 CHAIRPERSON JONES: Right. Cause you're at --
2 but you're at 27-percent diversion, right?

3 MS. BURLEIGH: We don't have the numbers for 2001
4 yet, as you know.

5 CHAIRPERSON JONES: Right. So the six-month
6 report will be on the status of what that number is and
7 how your programs are going, right?

8 MS. BURLEIGH: Okay.

9 CHAIRPERSON JONES: Okay. Thank you.
10 All right. Members?
11 Mr. Medina.

12 COMMITTEE MEMBER MEDINA: With that I'd like to
13 move Resolution 2002-554, approval of the application for
14 a 1066 time extension by the City of Alhambra, Los Angeles
15 County.

16 COMMITTEE MEMBER EATON: Second.

17 CHAIRPERSON JONES: I got a motion by Mr. Medina,
18 a second by Mr. Eaton.

19 Substitute the previous roll?

20 On consent?

21 Thank you, members.

22 Okay. Now, we're going to AH, which would be
23 Number 60, the City of Arcadia.

24 DEPUTY DIRECTOR SCHIAVO: And this is
25 consideration of a request to change the base year to 2000

1 for the previously approved source reduction and recycling
2 element for the City of Arcadia in Los Angeles County.

3 And Steve Uselton will make this presentation.

4 MR. USELTON: The City of Arcadia has submitted a
5 request to change their base year from 1990 to 2000. The
6 City of Arcadia originally submitted a new base year
7 change request with a diversion rate of 49 percent for
8 2000. And as part of the base year study review Board
9 staff conducted a detailed site visit and review of study
10 supporting documentation.

11 Board staff proposed changes in the City's
12 submitted study are detailed in Attachment 3 of this item.
13 With these changes the City of Arcadia's diversion rate
14 for 2000 would be 42 percent.

15 To estimate waste generation in 2000 the City
16 used disposal data from the Board's disposal reporting
17 system and collected diversion information from program
18 activities including residential curbside recycling and
19 green waste collection, buy-back centers, commercial
20 on-site recycling, grass cycling, inert recycling.

21 Staff conducted a site visit in 2002 to verify
22 these diversion activities.

23 Board staff is recommending Option 2 of the
24 agenda item, which would approve the revised new base year
25 with staff recommendations.

1 The City has also submitted a time extension
2 request that describes additional program implementation
3 that has occurred since 2000. These programs are not
4 considered in this item as they did not impact the
5 diversion rate for the new 2000 base year requested. The
6 City's time extension application will be presented in a
7 separate item at today's meeting.

8 A Representative from the jurisdiction is present
9 to answer any questions.

10 And that concludes my presentation.

11 CHAIRPERSON JONES: Mr. Eaton.

12 COMMITTEE MEMBER EATON: Isn't this one of the
13 jurisdictions where under the Chavez bill they'll get a
14 bump automatically because of their inerts? So it's
15 really not an expanded program, it's just an accounting
16 change.

17 MR. USELTON: This is a City that will benefit
18 from -- if the Chavez bill is 2308, they will get a
19 significant benefit from that.

20 In addition to that, the City has described
21 increasing the outreach to the C&D permit applicants when
22 they come to the building permit desk. And we also see
23 that as their intention to try to address this waste
24 stream.

25 COMMITTEE MEMBER EATON: Thank you.

1 CHAIRPERSON JONES: Okay. Thanks.

2 Mr. Medina.

3 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
4 to move that the Board adopt Option 2. And I'd like to
5 move Resolution 2002-566, approval of a request to change
6 the base year to 2000 for the previously approved source
7 reduction and recycling element for the City of Arcadia,
8 Los Angeles County.

9 CHAIRPERSON JONES: And I'll second it.

10 We've got a motion by Mr. Medina, a second by
11 Jones.

12 Substitute the previous roll?

13 Okay. Put it on consent?

14 All right. Item Number X, which is 50.

15 DEPUTY DIRECTOR SCHIAVO: This is a request for
16 an SB 1066 time extension by the City of Arcadia.

17 And Steve will make this presentation.

18 MR. USELTON: The City of Arcadia has requested a
19 time extension through December 31st, 2003. The reason
20 that the jurisdiction needs a time extension are -- the
21 reasons are as follows:

22 Time to monitor the effectiveness of programs,
23 including an expanded residential green waste recycling
24 program that includes additional capacity through an
25 automated system. This program will replace

1 customer-provided green waste containers.

2 There will also be implemented an expanded
3 construction and demolition outreach program for C&D
4 applicants. And also we'll be dealing in a back-end check
5 of disposal records for C&D materials that were self-haul,
6 trying to identify potential misallocation issues.

7 The City is also planning to route half of the
8 community's multi-family waste to a waste-to-energy
9 facility, as some of their past multi-family programs were
10 not as successful as they had hoped them to be.

11 The programs listed in the jurisdiction's plan of
12 correction and their respective anticipated percent
13 increase in diversion rate are provided in the table
14 included in this agenda item.

15 And Board staff has determined that the
16 information submitted in the application is adequately
17 documented.

18 Based on this information Board staff is
19 recommending that the Board approve the time extension
20 request for the City of Arcadia.

21 A representative from the jurisdiction is
22 available to answer any questions.

23 CHAIRPERSON JONES: Any questions, members?

24 Mr. Medina.

25 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

1 I'd like to move Resolution 2002-555, approval of the
2 application for a 1066 time extension by the City of
3 Arcadia, Los Angeles County.

4 CHAIRPERSON JONES: I'll second.

5 We've got a motion by Mr. Medina, a second by
6 Jones.

7 Substitute the previous roll?

8 And put it on consent?

9 Thank you, members.

10 Item AI, number 61.

11 DEPUTY DIRECTOR SCHIAVO: This is consideration
12 of a request to change the base year to 2000 for the
13 previously approved source reduction and recycling element
14 for the City of Claremont, Los Angeles County.

15 And Steve will make this presentation.

16 MR. USELTON: The City of Claremont has submitted
17 a request to change their base year from 1999 to 2000.
18 The City of Claremont originally submitted a new base year
19 change request with a diversion rate of 44 percent for
20 2000.

21 As part of base year study review Board staff
22 conducted a detailed site visit and review of study
23 supporting documentation. And Board's staff proposed
24 changes to the City's submitted study are detailed in
25 Attachment 3.

1 With these changes staff's recommended diversion
2 rate for 2000 for the City of Claremont would also be 44
3 percent.

4 To estimate waste generation in 2000 the City
5 used disposal data from the Board's disposal reporting
6 system and collected diversion information from program
7 activities including residential curbside recycling and
8 green waste collection, buy-back centers, commercial
9 on-site recycling, grass cycling, and inert recycling.

10 Staff conducted a site visit in 2002 to verify
11 these diversion activities.

12 Board staff is recommending Option 2 of the
13 agenda item, which would approve the revised new base year
14 with staff recommendation.

15 A time extension has also been submitted by the
16 City that describes additional programs that were
17 implemented since 2000. These programs are not considered
18 in this item, but will be brought to you in an item for
19 the City's time extension at today' meeting.

20 A representative from the jurisdiction is
21 available to answer any questions.

22 And that would conclude my presentation.

23 CHAIRPERSON JONES: Thanks.

24 Any questions of staff?

25 I have one speaker slip. Mr. Mark Harmon from

1 the City of Claremont.

2 MR HARMON: Thank you, Chair Jones and Committee
3 Members. Mark Harmon, Utilities Manager, City of
4 Claremont.

5 I know you've got a long agenda and I'll be very
6 brief.

7 Before you today are two agenda items that impact
8 the City of Claremont. One is asking your consideration
9 to change our base year to the year 2000, and the second
10 item is asking your consideration of a 1066 time
11 extension.

12 The City of Claremont is one of only a handful of
13 cities in Los Angeles County that currently provides
14 municipal collection services for our commercial and
15 residential customers. This gives our City the benefit of
16 managing our waste flow, monitoring where we send our
17 materials, the weight of materials in each truck, and the
18 final cost for disposal and processing.

19 One of the benefits of this type system is the
20 accuracy within our annual reports. We do not rely solely
21 on extrapolation or averages, but rather on actual
22 tonnages recorded everyday from our truck weigh tickets.
23 Our annual reports are completed in-house by City staff
24 familiar with our programs.

25 The 2000 annual report submitted to this

1 Committee today we feel is both accurate and fair. The
2 44-percent diversion rate that is listed in this, taken
3 together with the City's program listing, or PARIS,
4 report, accurately reflects the effort the City of
5 Claremont has put forth in achieving our AB 939 goals.

6 On August 7th, 2001, our mayor sent Chair
7 Moulton-Patterson a letter of support for the Board's
8 policy of considering both program implementation and
9 numerical achievement as part of program compliance. The
10 City continues supporting this balanced approach.

11 Our PARIS report clearly indicates implementation
12 of the programs listed in our SRRE documents. In fact the
13 PARIS report shows that the City has implemented not only
14 our stated programs, but also other programs important to
15 the community such as medical waste recycling.

16 The other part of compliance, numerical
17 achievement, is currently shown in our annual report as 44
18 percent. Initially the City's records indicated a
19 diversion rate of 47 percent.

20 The 3-percent difference is based two factors
21 that were beyond the control of the City. The first was a
22 letter the City received from the Board in May 2002 that
23 addressed the overuse of ADC at the Colton and Fontana
24 disposal facilities. This reduced our diversion by 2
25 percentage points.

1 The second factor was a letter received regarding
2 the use of inert solids at two processing facilities in
3 Los Angeles County. The add-back of this tonnage
4 decreased our diversion rate another percentage point.

5 It was in good faith that the City delivered or
6 caused to be delivered materials to these facilities that
7 we understood would be reused and counted as diversion.

8 Without the effect of these two problems the City
9 would be standing before you today with a 47-percent
10 diversion rate. Given this and the excellent track record
11 the City has established with regards to program
12 implementation, the City of Claremont respectfully
13 requests that the Committee consider approval of a good
14 faith effort with a new base year.

15 Since 2000 we have continued to develop programs
16 and strategies that will further reduce the materials we
17 landfill. In 2001 we negotiated a contract with the MERF
18 processing of our commercial wastestream. Currently we
19 are developing a construction and demolition ordinance
20 that will require recycling efforts for these materials.

21 The City will continue to stand committed to
22 reduce our dependency on landfills and increasing our
23 diversion levels.

24 Thank you for your consideration of this request.
25 I'd be happy to answer any questions.

1 CHAIRPERSON JONES: Thanks.

2 I just have one question, Mr. Harmon. I got no
3 problem with the base year. But I thought the next item
4 was SB 1066.

5 DEPUTY DIRECTOR SCHIAVO: It is.

6 CHAIRPERSON JONES: But what he's requesting is
7 good faith effort as opposed to the 1066?

8 MR. HARMON: That's correct, yes, sir.

9 CHAIRPERSON JONES: All right. We've got a new
10 base year request.

11 Mr. Medina.

12 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
13 I'd like to move Resolution 2002-567, approval of a
14 request to change the base year to 2000 for the previously
15 approved source reduction and recycling element for the
16 City of Claremont, Los Angeles County.

17 COMMITTEE MEMBER EATON: Second.

18 CHAIRPERSON JONES: I got a motion by Mr. Medina,
19 a second by Mr. Eaton.

20 Substitute the previous roll?

21 Put it on consent?

22 Item Y, which would be Item Number 51, the
23 follow-up to this.

24 DEPUTY DIRECTOR SCHIAVO: This is a request for
25 the application of an SB 1066 time extension by the City

1 of Claremont. And Steve will make this presentation.

2 MR. USELTON: The City of Claremont has submitted
3 a time extension request application that would run
4 through December 31st of 2003.

5 The reasons that the jurisdiction needs a time
6 extension that were identified in the application would be
7 time to monitor the effectiveness of programs including
8 the identification of high diversion potential commercial
9 routes that will be taken to a MERF for processing; and
10 also the addition of a downtown construction and
11 demolition diversion effort that is being done in
12 cooperation with a federal EPA grant. The City will use
13 the experience of this effort to identify the most
14 effective methods for improving diversion of C&D waste.

15 The programs listed in the jurisdiction's plan of
16 correction and their respective anticipated percent
17 increase in the diversion rate are provided in the table
18 included in this agenda item.

19 And Board staff has determined that the
20 information submitted in the application is adequately
21 documented. Based on this information Board staff is
22 recommending that the Board approve the time extension
23 request for the City of Claremont.

24 That concludes my presentation.

25 CHAIRPERSON JONES: Okay. Are there questions?

1 I'm going to ask one.

2 Were we -- I mean the City asked for the
3 extension. We're moving right along at 44 percent. And
4 they keep doing good programs. So after this 1066, you
5 know, they may be -- if they come into full compliance or
6 to a position that you want to bring them forward, you can
7 do that, right?

8 DEPUTY DIRECTOR SCHIAVO: I imagine. That would
9 be after 2002 cycle -- you know, report-year cycle, which
10 is still a ways off.

11 CHAIRPERSON JONES: Okay. And then one other
12 issue -- and I think you guys worked on it. When the
13 Board determined the ADC overuse at Colton and Fontana, we
14 had a Board action that said that that material had to go
15 back to the generators. I mean, you know, it had to,
16 because it was, God knows, how thick.

17 Claremont is L.A. County. Now, obviously they
18 were taking material from San Bernardino County, L.A.
19 County. Did you guys ever get a list of how this -- was
20 this distributed equally to all their feeders or did they
21 selectively decide whose ADC feedstock this was?

22 DEPUTY DIRECTOR SCHIAVO: If I recall right, our
23 staff actually went down and looked at records --

24 CHAIRPERSON JONES: -- and determined?

25 DEPUTY DIRECTOR SCHIAVO: -- and determined. So

1 it wasn't based on percentage that I'm aware of.

2 CHAIRPERSON JONES: It was delivery. Okay.

3 All right. Any other questions? Because I'm
4 inclined to go with the 1066. Even though Claremont has
5 done a great job, I think we've got to get to the bottom
6 of -- or keep going.

7 Mr. Medina.

8 COMMITTEE MEMBER MEDINA: Chair Jones, is that
9 Option 1 or Option 2 that you're supporting there?

10 CHAIRPERSON JONES: One. Staff recommendation
11 is 1.

12 COMMITTEE MEMBER MEDINA: I'd like to move
13 adoption of Staff Recommendation 1. And I'd like to move
14 Resolution 2002-556, approval of the application for a
15 1066 time extension by the City of Claremont, Los Angeles
16 County.

17 COMMITTEE MEMBER EATON: Second.

18 CHAIRPERSON JONES: We got a motion by Mr. Medina
19 and a second by Mr. Eaton.

20 Substitute the previous roll?

21 On consent?

22 Thank you, members.

23 Okay. Item, Z, 52, La Puente.

24 DEPUTY DIRECTOR SCHIAVO: Yeah, we'd like to
25 combine Items 52, 53, 54, and 55. And these are all

1 applications for SB 1066 time extensions by the cities of
2 La Puente, La Verne, City of Hidden Hills, and Los Angeles
3 County unincorporated, all in Los Angeles County.

4 And Steve will make this presentation -- or these
5 presentations.

6 MR. USELTON: Okay. The cities of La Puente, La
7 Verne, Hidden Hills, and the unincorporated area of Los
8 Angeles County have requested time extensions. The time
9 requested extends through December 31st, 2003, for each
10 jurisdiction except the unincorporated Los Angeles'
11 application, which is requesting through December 31st of
12 2004, as the county is planning to change numerous
13 contracts and add franchise agreements for many of its
14 managed unincorporated pockets.

15 The reasons that the jurisdictions need a time
16 extension are as follows:

17 For La Puente, they will be processing of all
18 commercially collected waste, including waste from
19 multi-family complexes and construction and demolition
20 waste, through a MERF processing facility. The City will
21 also adopt an ordinance to curtail nonfranchise haulers,
22 misreporting at landfills, and dumping of recyclables.
23 They will also be adopting an ordinance related to
24 construction and demolition diversion.

25 For the City of La Verne, they will be

1 implementing a pay-as-you-throw residential waste service
2 option. They will be expanding recycling and green waste
3 curbside collection capacity that incorporates automation
4 to improve customer ease of use. There will be a new
5 commercial hauler requirement to provide recycling carts
6 to commercial accounts and work individually with larger
7 businesses to set up commercial diversion programs. This
8 program includes a City feedback for the hauler to report
9 businesses that are not willing to participate in the
10 program.

11 For the City of Hidden Hills, they will be
12 targeting the residential customers with 3-yard bin
13 service to provide additional diversion activities for
14 these unusual accounts. There will be the addition of
15 recycling containers at City parks and common areas within
16 this gated community. And there will be a new diversion
17 requirement on C&D projects for meeting a requirement of
18 75 percent. This will include penalties for lower
19 diversion participation.

20 There is also for the City of Hidden Hills a new
21 hauler requirement for the diversion of horse manures.

22 For the unincorporated area of Los Angeles County
23 the county is putting together new franchise agreements
24 and garbage disposal district contracts that will in many
25 cases increase residential and commercial diversion

1 capacity. Franchise agreements will also include
2 provisions for hauler reporting in order to monitor
3 program effectiveness and improve the county's ability to
4 reduce disposal misreporting.

5 There will be an expanded construction and
6 demolition program that includes 50-percent diversion
7 requirements on project applicants. The program will
8 include reporting tools and penalties for
9 nonparticipation. And though not included with the
10 ordinance, the county is also requiring all county-funded
11 projects to meet similar requirements.

12 The county will also utilize powers and a
13 conditional use permit that it issues for landfills
14 located in the unincorporated area to enhance the county's
15 ability to monitor the accuracy of DRS-collected
16 information.

17 The programs listed in the jurisdictions' plan of
18 correction and their respective anticipated percent
19 increase in diversion rate are provided in the tables
20 included in your agenda items.

21 Board staff has determined that the information
22 submitted in the applications is adequately documented.
23 And based on this information, Board staff is recommending
24 that the Board approve the time extension requests for
25 these jurisdictions.

1 Representatives from the jurisdictions are
2 available to answer questions.

3 CHAIRPERSON JONES: Are there any questions from
4 members?

5 Before we take motions, I want to -- my
6 understanding is that all of these jurisdictions, L.A.
7 County in particular, has worked very hard to come in to
8 an agreement that's going to take them forward. And I
9 want to congratulate staff and congratulate those
10 jurisdictions on working towards that sort of an end,
11 because that's a good thing. So we appreciate it, that's
12 for sure, from everybody.

13 Mr. Medina.

14 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
15 I would like to move approval of time extensions for the
16 City of La Puente, Los Angeles County; City of La Verne,
17 Los Angeles County; the City of Hidden Hills, Los Angeles
18 County; and for Los Angeles County unincorporated area.
19 And so I'd like to move Resolution 2002-558, Resolution
20 2002-559, Resolution 2002-560, and Resolution 2002-561.

21 CHAIRPERSON JONES: Thank you, Mr. Medina.

22 COMMITTEE MEMBER EATON: Second.

23 CHAIRPERSON JONES: We've got a motion by Mr.
24 Medina, a second by Mr. Eaton.

25 Substitute the previous roll?

1 And on consent?

2 Thank you all.

3 Now, item 56, which is AD, Glenn County.

4 And I do have to -- I don't really have an ex
5 parte. But Byron Hall, who represents Waste Management,
6 he and I used to work together for another company and
7 said hello to each other, and he was telling me he was in
8 Glenn County. It was good to see him. It's been a while.

9 DEPUTY DIRECTOR SCHIAVO: Board Member Jones, I
10 was wondering because of the interest of time if we could
11 hear Item 57 first.

12 CHAIRPERSON JONES: Okay. Glenn County, you got
13 to wait a little bit. We've got cameras rolling and they
14 got to be out of here by noon. So we're going to deal
15 with Baldwin Park, which is item -- we're going to do Item
16 Number 57, which is AE.

17 Just hang on, Glenn County. We'll get to you.

18 DEPUTY DIRECTOR SCHIAVO: Okay. And this item is
19 consideration of a request to change the base year to 1999
20 for the previously approved source reduction and recycling
21 element for the City of Baldwin Park, Los Angeles County.

22 And Cara Morgan will make this presentation.

23 MS. MORGAN: On October 26th, 1999, the City of
24 Baldwin Park was issued a compliance order requiring the
25 City to correct diversion rate inaccuracies. The City

1 completed and submitted a waste generation study with the
2 intent of establishing a more recent and more accurate
3 base year.

4 The City originally submitted a new base year
5 change request with a diversion rate of 26 percent for
6 1999. As part of the base year study review Board staff
7 conducted a detailed site visit.

8 Board staff-proposed changes can be seen in their
9 entirety in a Attachment 3.

10 Additionally, the City used statistical methods
11 to extrapolate the nonresidential diversion from a sample
12 of businesses within the City.

13 The Board's contracted statisticians along with
14 Board staff reviewed the extrapolation methodologies, and
15 it was determined that the sampling methodologies used in
16 the extrapolation do not meet statistical requirements for
17 conducting random surveys. Therefore, Board staff
18 recommends that the additional diversion from
19 extrapolation not be allowed in the base year request.

20 With these changes the City's diversion rate for
21 1999 would be 18 percent.

22 One of the requirements of the City's compliance
23 order is that the City document its progress in meeting
24 the 25-percent diversion requirement and demonstrate
25 progress in meeting 50-percent diversion requirement in

1 2000.

2 Based on this information Board staff is
3 recommending Option 2 of the agenda item, which would
4 approve the Board staff's revised base year change
5 recommendations and direct staff to work with the City to
6 develop an assistance plan per the compliance order.

7 Representatives from the City are present to
8 answer any questions.

9 That concludes my presentation.

10 CHAIRPERSON JONES: Any questions of staff?

11 We've got three speakers.

12 Mr. Eaton.

13 COMMITTEE MEMBER EATON: Okay. The compliance
14 order was due until July 1st, 2000, correct, with the
15 extensions, right? And then we granted a second extension
16 until December?

17 MS. MORGAN: Correct.

18 COMMITTEE MEMBER EATON: So there's two
19 extensions, right? I'm just trying to get procedural
20 posture here.

21 MS. MORGAN: Sure.

22 COMMITTEE MEMBER EATON: Okay.

23 CHAIRPERSON JONES: All right. Michelle Leonard
24 from SCS Engineers.

25 MS. LEONARD: Thank you, Mr. Chair, Members of

1 the Board. My name is Michelle Leonard with SCS
2 Engineers. For the last three years I've been the
3 consultant to the City of Baldwin park.

4 With me today also is Alex Stege of SCS
5 Engineers, Wendy Harris, who is the Public Works
6 Supervisor for Maintenance and Environmental Services for
7 the City of Baldwin Park, and Ray Andersen from Waste
8 Management, who's the exclusive hauler in the City.

9 I just want to make you aware that we are having
10 a videotape made of this meeting today because the City
11 wanted to make sure that the City council, City manager,
12 and director of public works was able to view the
13 proceedings today since they're not videotaped or
14 broadcast.

15 The reason why we're here today is to ask -- is
16 to respectfully request the Board to approve Option 1,
17 which is to approve the base year study as originally
18 submitted by the City and end our compliance order.

19 As you mentioned, it was exactly three years ago
20 that the City was put on a compliance order. And we've
21 prepared a timeline that I think you all have a copy of as
22 well as we have a copy here that might be a little bit
23 easier to read. But it shows you the progress or the lack
24 thereof progress that the City has gone through and the
25 process we've gone through to get here today.

1 I just want to point out a few of the important
2 dates. We did submit our original base year study,
3 Version 1, we call it, in July of 2000. It was submitted
4 on time and within the compliance order. And it was,
5 importantly, submitted before the moratorium.
6 Unfortunately, the moratorium went into effect in the fall
7 of that year and we got caught up in that, and then we had
8 to wait until April of 2001 for the new diversion study
9 guide.

10 Based on that new diversion study guide
11 requirements we revised the new base year study and
12 produced Version 1 that was submitted in July of 2001,
13 that again met all the new requirements of the diversion
14 study guide.

15 Based on staff requests for additional audits, we
16 then requested and were granted an extension for the
17 compliance order, and prepared and submitted Version 3 of
18 the new base year study in December of 2001 by our due
19 date, which was December 31st. And that included the
20 additional audits that were required because of the new
21 diversion study guide and some other comments that Board
22 staff had made.

23 That version of the new base year was again
24 reviewed by Board staff. And the first set of
25 verification audits were conducted in February of 2002 of

1 the top 10 generators. Based on that review, the Board
2 staff then asked us to make further changes to the new
3 base year study, and we submitted Version 4 in February of
4 2002, which included some changes that were requested of
5 Board staff, including adding additional landfill salvage
6 tonnage as well as some additional corrections to the
7 report.

8 There was further review, and between February
9 2002 and today we've had additional changes to the new
10 base year study. We've been requested numerous times to
11 submit additional information. And typically these
12 requests have come with response times of anywhere between
13 three to four days on our part. And we've strived very
14 hard to make all of those deadlines.

15 As you can see in May of 2002, because of
16 additional changes that staff made requested to the study,
17 they came down and did additional verification audits
18 because by this time our top 10 generators had changed.

19 In August of '02, just a couple months ago, we
20 were informed that we would finally get on the Board
21 agenda for October, but that we would be using our
22 December version of the new base year study because that
23 in fact was our official due date even though we had
24 revised the study and had submitted a revised version in
25 February.

1 So you will find that December version in the
2 agenda packet today. However, staff used the February
3 version, I think, as far as I can determine, to do their
4 revised study.

5 Then in September we were advised of further
6 changes to the diversion rate based on new information
7 they obtained on landfill salvage. And we went back to
8 almost the original landfill salvage data, and that was
9 because of new information that was available in September
10 of '02 that was not available in July of 2000 in regards
11 to quantities of landfill salvage at some of the landfills
12 that the City uses.

13 So here we are today, three years later, with a
14 diversion rate of 18 percent as proposed by Board staff,
15 which is certainly not representative of what is presently
16 going on in the City. And we feel that the 26 percent
17 diversion rate is more accurate and more representative of
18 our diversion rate.

19 I would like to address the Board statistician's
20 review of the extrapolation methodology. And just to make
21 sure that everybody understands what occurred was that the
22 problem apparently was with the original sampling --
23 random sampling that was done for the original audits.
24 That methodology used to take those samples was done
25 according to the methodology that was the standard

1 practice, accepted methodology that in fact was developed
2 by the Board's consultant at that time.

3 We ended up doing a total of 238 audits. We
4 eliminated some that were outliers. And then extrapolated
5 out from those 233 businesses, which actually represents
6 approximately 17 percent of the total businesses in the
7 City.

8 The problem now is that by not allowing the
9 extrapolation, we feel that the sampling because it was
10 random didn't target obviously the largest generators. It
11 was a random sampling. So to just go ahead and use the
12 actual diversion from those business audits is not going
13 to capture all of the diversion that was occurring in the
14 City in 1999.

15 A couple of other important items I'd like to
16 make you aware of, in the agenda item on Page 57-2 where
17 it talks about the residential versus nonresidential
18 breakdown, the numbers in there are not correct and don't
19 match either the Board's Exhibit 2B, base year
20 certification form, or our base year certification form,
21 and should in fact be residential at 36 percent and
22 nonresidential at 64 percent. So I'm not sure where those
23 numbers came from or if they were just a typo or a carry
24 over from another agenda item.

25 In closing, I would like to say that the process

1 has certainly hampered the City's ability implement any
2 additional new programs. As I said, we've been working
3 with the City for the past three years, and unfortunately
4 we've spent three-fourths of our time revising this study.
5 As I said, we're up to Version 4 already.

6 The City has met all deadlines and has responded
7 to all staff requests. That's probably why we ended up
8 with so many versions of the study. And the study did
9 follow the standard practices and accepted methodologies
10 at the time in 1999.

11 We've just spent too much time and too much money
12 on this study already to end up with still being on a
13 compliance order and only being at 18 percent. That's why
14 again we respectfully request that you approve Option 1,
15 which is our original base year study, and then let us
16 move forward with implementing new programs and really
17 acting in the true spirit of AB 939.

18 If you go with Option 2, what we're going to end
19 up having to do is more audits, more revisions, more
20 review by your staff, coming back to these meetings again,
21 and probably spending anywhere between \$15,000 and \$20,000
22 more of the City's money on top of what we've already
23 spent. And we'll still be on a compliance order.

24 That's all I have. And certainly I'm available
25 for any questions.

1 And, as I said, the City's representative would
2 also like to speak.

3 CHAIRPERSON JONES: Any questions for Ms.
4 Leonard?

5 Your option would be 26 percent and you're on a
6 compliance order, as opposed to 18 percent and you're on a
7 compliance order?

8 MS. LEONARD: I'd like to be at 26 percent not on
9 a compliance order and move forward with -- we would then
10 request a 1066 time extension.

11 CHAIRPERSON JONES: Okay. Thanks.

12 I just wanted to make sure I got your option
13 right.

14 All right. Wendy Harris, City of Baldwin park.

15 MS. HARRIS: Good morning. As Michelle
16 mentioned, I'm Wendy Harris. And I am the City's
17 representative for our environmental programs, and that
18 includes our AB 939 compliance program.

19 As she mentioned, back in October of 1999, we
20 were placed under a compliance order. At that time the
21 Board felt that even though adequate progress was being
22 made in implementing waste diversion programs, they
23 weren't able to determine that our 25-percent goal was
24 being met.

25 Since that time the City has been doing

1 everything within its power, exhausting every available
2 staff and financial resource to comply with the request of
3 the Board and the staff. Three years later it appears
4 that we are no closer to ending this compliance order
5 unless the Board agrees with us and opts to approve our
6 study and its original application form.

7 Instead of utilizing our resources to increase
8 diversion, we feel that we have been under an unnecessary
9 amount of severe scrutiny. We have been making every
10 attempt to comply with ever changing requirements set
11 forth by the Board staff. The City has spent in excess of
12 \$50,000 in consultant fees, accompanied by another \$30,000
13 at the expense of our franchise waste hauler waste
14 management for the initial business audits that took place
15 in 1999 and the additional audits that were requested by
16 the Board staff.

17 Furthermore, these direct costs that I've listed
18 to you do not include the enormous amount of staff hours
19 on my part and the fact that SCS Engineers has generously
20 wrote off another \$8,000 in consultant expenses once the
21 City's financial resources became exhausted last year.

22 The Board and their staff has given the City
23 little, if any, definitive guidelines to work with
24 throughout this process and yet has expected us to
25 understand and comply fully with any and all new changes

1 and requirements that have been imposed upon us.

2 To further frustrate and complicate the process,
3 some of the Board staff that we have worked with appears
4 to have themselves a lack of understanding of the rules of
5 their own game and continuously has made changes to the
6 rules as time has progressed in this manner.

7 The City, like I mentioned, has done everything
8 within its power to meet their demands and ever changing
9 requests, and hope today to be able to move forward in
10 this and be able to get to the real root to AB 939 and,
11 that is, to increase diversion within our community.

12 Furthermore, some of the Board staff that have
13 been assigned to work with us on this matter has
14 continuously showed a lack of professionalism and failed
15 to adequately communicate with us on what we consider a
16 very extremely important matter.

17 As Michelle's presentation has clearly shown, the
18 Board staff has kept us moving in circles rather than
19 progressing towards resolution in a professional manner,
20 completely contrary to the City's desire to maintain a
21 good working relationship with the board and their staff,
22 one that is based on mutual respect, cooperation,
23 flexibility, and a desire to increase diversion in the
24 true spirit of what AB 939 stands for.

25 It is my hope that the Board will approve the

1 City's base year change as it was originally submitted,
2 thereby ending our compliance order and allowing us to
3 shift all of our resources into diversion.

4 It is also our request that if in fact we are
5 unable to secure your support today and approve the study
6 in its original form, the City would like to formally make
7 a request that any and all further dealings between the
8 City and the Board be relocated to the Los Angeles section
9 of the Office of Local Assistance. We believe that if we
10 do not receive approval of our study in the original form
11 and are denied the opportunity to move forward today, this
12 move would at least provide us with the direct support and
13 opportunity to meet with Board staff and resolve any
14 additional issues related to compliance at a much quicker
15 pace.

16 Our success is directly related to a certain
17 level of continuity and the ability to work face to face
18 in a professional manner with your staff.

19 In closing, I would like to reiterate that it is
20 my hope that you will approve the City's base year as it
21 was originally submitted today, thereby ending our
22 compliance order and providing us the ability to move
23 forward and use all of our resources in the true spirit of
24 AB 939.

25 Thank you.

1 CHAIRPERSON JONES: Thank you.

2 Anybody have any questions?

3 I'm interested to know who scripted part of that,
4 only because you're the first one that's come forward
5 that's ever said our staff hasn't worked with them in
6 anything less than a professional manner -- ever. But --

7 MS. HARRIS: If I may clarify. It is a certain
8 amount of your staff. I'm not saying that all of your
9 staff has been unprofessional. We have experienced good
10 working relations with many. However, we have encountered
11 quite a bit of problems along the way as well.

12 And I would definitely be happy to set up an
13 appointment with their director and outline some of these,
14 because I think it may be very enlightening and -- in a
15 true working relationship you're going to have hurdles.
16 And to be able to understand those hurdles and get past
17 them is probably the key.

18 CHAIRPERSON JONES: I would agree. That was one
19 of the reasons I think our staff tried to give Michelle as
20 much time as possible. We were in the middle -- although
21 we have one more speaker.

22 Ray Andersen from Waste Management.

23 MR. ANDERSEN: Thank you, Mr. Chairman, Members
24 of the Committee. My name is Ray Andersen. I'm with
25 Waste Management of Los Angeles County.

1 And I just wanted to reiterate a couple of
2 programs in Baldwin Park that we have implemented over the
3 last couple of years that you have not had a chance to
4 review. But we have been working closely with the City,
5 with SCS, in putting together a fully automated curbside
6 program including a variable rate refuse collection
7 system, a green waste collection system, and a recycling
8 collection system which has been extremely effective at
9 increasing the diversion within the City of Baldwin Park.

10 That also included a significant public outreach
11 program, and it was in a bilingual form. As you know, we
12 have a lot of non-English speaking residents in the City
13 of Baldwin Park, as well as a lot of renters. And so the
14 implementation of those programs were a little bit more
15 difficult than normal, but they have worked well.

16 We wanted to pledge to you, the Waste Board, the
17 City of Baldwin Park, and SCS, we would like to work
18 closely with you to resolve this issue. And anything we
19 can do to help this process along, we are interested in
20 pursuing.

21 Thank you for your time.

22 CHAIRPERSON JONES: Thanks.

23 When was your start-up program, of this curbside
24 program?

25 MR. ANDERSEN: It was in spring of 2001.

1 CHAIRPERSON JONES: And the waste audits that
2 Michelle talked about that you guys helped do or whatever,
3 was that the basis for the base year?

4 MR. ANDERSEN: Yes.

5 CHAIRPERSON JONES: -- the original base year?

6 MR. ANDERSEN: Correct.

7 CHAIRPERSON JONES: So it was your consultant
8 that did the number accumulation based on extrapolation
9 and turned that over to SCS and the City of Baldwin Park
10 to be the basis for this new base year study?

11 MR. ANDERSEN: That's correct. Equi-telesis was
12 our consultant.

13 CHAIRPERSON JONES: Okay. Because I think
14 it's -- thank you.

15 I think that it's important to note that because
16 it was during that timeframe when cities were getting put
17 on compliance orders for having data that actually was
18 non -- I mean you look at some of the data and you had
19 zero or you had, you know, minus 50 percent. I don't
20 remember what Baldwin Park's was.

21 MS. LEONARD: Minus 14.

22 CHAIRPERSON JONES: Minus 14 percent.

23 You know, and sometimes minus 14 percent may have
24 been the accurate number. You know, I'm not being
25 facetious. You do a number and you don't do any programs

1 and you keep growing a community, you get a minus number.
2 I'm not saying that happened there, but it happens in
3 other parts of the state. It's a reality.

4 But as these base years were coming in we found
5 that the generation in the State of California was going
6 up expeditiously -- exponentially -- because we were --
7 our generation number went from somewhere around 40
8 million to 55 million tons based on new base year studies
9 using extrapolation.

10 We'd have been at 75 percent diversion without
11 ever doing a recycling program. It would have been real
12 simple. You just keep driving the generation up, you
13 don't have to do a diversion program because you're
14 disposal is less.

15 Michelle Leonard and SCS as well as your
16 consultant that did the original base year were part of
17 the working group that worked on -- which Mr. Eaton and I
18 led that charge on behalf of the Board, with the Board's
19 not only approval, but their support to get to the bottom
20 of what had to be right because we had too many cities and
21 counties that had put in efforts, and we needed those to
22 be honored as well as we needed those cities that were
23 looking at trying to do the right thing and maybe getting
24 some bad information. That wasn't fair to them.

25 I'm not saying whether or not the City of Baldwin

1 Park got bad information or not. But I'll tell you what,
2 the City of Baldwin Park is able to show a list of this
3 many different things because I think out of respect for
4 Michelle and probably the original consultant that the
5 staff worked with them to try to make it right because the
6 number and the issues were so skewed, through no fault of
7 anybody's. That's why I know for a fact that that is why
8 they worked through this thing with you and why it took so
9 long, was to try to help you be successful.

10 I know it because they continued to report to us.
11 Mr. Eaton and I as well as Michelle and others worked
12 awfully hard to make sure that extrapolation could be
13 proved and not just used to generate numbers that were
14 pretty fictitious.

15 So I understand the frustration with the amount
16 of revisions. They weren't done to be considered bean
17 counters. They were done to try to accommodate what had
18 been a system that could not be accepted by this Board
19 because of its inclination to not be verifiable. And we
20 did that for everybody in the State of California.

21 The options -- we actually have three options,
22 you know. You want us to take yours. Staff wants to take
23 ours. And the other one is we disapprove it all, you
24 know. I'm not so sure that's a bad option.

25 I don't want to see us continue to count. I want

1 Baldwin Park to be successful, even with your numbers at
2 26 percent. You were put on a compliance order in 1995
3 for not being able to reach 25 percent. Seven years later
4 you've reached a 25 maybe, maybe, and you're at 26. I
5 think we have to concentrate on programs. And, you know,
6 I think we can do that based on staff's recommendation and
7 work cooperatively to try to help you get programs. But
8 it's clearly I think in the best interests of the City and
9 the best interests of everybody else that we go forward
10 working on programs and working on trying to get stuff
11 done and start accumulating, you know, dump tags or
12 whatever you got to do to figure out how close you are on
13 some of this stuff.

14 Does staff have anything to add?

15 DEPUTY DIRECTOR SCHIAVO: Yeah, I'd like to make
16 a couple comments regarding the presentations.

17 Is, one, we did put more scrutiny into this
18 particular base year because it was base years of this
19 nature that led to the moratorium. And that was the
20 concern to us. And this was the first that we've seen
21 come forward to date since the moratorium. So that was
22 very important to us.

23 Two, is we went back and forth quite a bit
24 because of the inconsistent information we would receive
25 from the consultant who performed the studies. For

1 example, we were informed that it was a random sample that
2 took place. When we heard that we went back to our
3 contractors who were looking at the statistics. We tried
4 to find ways to be creative to make this work, and we
5 couldn't find ways to make it work. Finally, after more
6 digging, more digging, staff found out that it wasn't a
7 random sample, that they took the largest generator to the
8 smallest. And so that kind of changed every -- you know,
9 our view of everything. So that was a little bit
10 frustrating.

11 Regarding going out multiple times to the sites,
12 staff went out a couple of times. And I think this is
13 probably misinformation -- or not misinformation, but just
14 miscommunication between our staff and the consultant,
15 because of the way the information was laid out in the
16 forms, the top generators were pulled out. We generally
17 look at the top generators. So when we went out there,
18 they were missing. So then we went out and did another
19 site visit. But, again, that was probably
20 miscommunication.

21 So we did try to come up with creative ways to
22 make this work.

23 I am very disappointed to hear comments regarding
24 our staff and their effort and performance. A lot of the
25 commentary that went back to the consultant was actually

1 viewed by all of us within the division, you know, looked
2 at it critically to make sure that we were being very
3 professional. So if there are concerns about that, I mean
4 that comes -- I mean I'm responsible for that. And that
5 wasn't the case. We treated this consultant like everyone
6 else. We met with the consultants here in Sacramento, the
7 one who did the studies. We received again a lot of
8 inconsistent information, and we couldn't draw any
9 conclusions. It was very frustrating for us. So that's
10 where we had to take the approach we did when we looked at
11 the studies.

12 So that's just a general overview.

13 CHAIRPERSON JONES: Comments from members?

14 Any comments from those who've already testified?

15 MS. LEONARD: I'd just like to add that, you
16 know, the biggest frustration is that we went through all
17 of these various iterations of this study. And it was
18 only in the last few months that it was determined that,
19 "gee, the original sampling back in 1999-2000 was not
20 correct and so we're going to throw out that whole part of
21 the study."

22 If we had never -- if that had come out earlier,
23 we could have moved on from there. Our concern is that we
24 spent the next -- you know, we spent two years and a lot
25 of money and time revising the study three more times --

1 you know, two more times after the new diversion study
2 guide, and that never came up. And then finally back in
3 March was when the Board obtained -- or I don't know,
4 however -- got some independent -- impartial third-party
5 review, statistical review of the study, and then this
6 issue came up.

7 Our biggest complaint is that we went through
8 two, you know, years of revising this report, doing more
9 studies, your time, our time, everybody's time, and then
10 only at the last really the 11th hour did it come out,
11 well, you know, that that was the problem with the study
12 of the original sampling. You know, I've discussed it
13 with Board staff and, yeah, we tried very hard to get that
14 other consultant to say that their sampling was random.
15 You know, maybe -- you know, the biggest mistake that I
16 made in this study was trusting another consultant's work.
17 However, at that time that consultant was the premiere
18 consultant for this Board. So, you know, we thought we
19 were doing the right thing.

20 Again, our real complaint and concern is that
21 we've spent all this time and at the last moment the
22 original sampling way back in '99-2000 was incorrect.
23 And, again, our concern is that where do we go from here?
24 If you approve this study at 18 percent, you know, we're a
25 long ways from 25, we're a long ways from 50 percent. And

1 how much more time are we going to have to spend on -- you
2 know, the Board staff has been very cooperative in
3 offering to assist us to revise the study and do -- but
4 that's, you know, money that the City doesn't have, that
5 the City shouldn't need to spend again and again.

6 CHAIRPERSON JONES: You know, I don't -- we're
7 not going to pick and choose on consultants. I mean
8 we've -- you know, that's not our business.

9 MS. LEONARD: Mine either.

10 CHAIRPERSON JONES: But I think one of the things
11 that Mr. Schiavo said needs to really be said again, they
12 went on the assumption, our staff, that -- not the
13 assumption -- the assertion by you and others I guess that
14 this sampling was done a specific way. And it was only
15 until late in the program -- I mean that's what I
16 understood you say a moment ago, right -- it was only
17 until just this timeline that you're talking about that
18 they found out in fact that it hadn't been done that way.
19 The whole key to an extrapolation is its randomness. And
20 that when you pick and choose selective generators, you
21 can skew the numbers, unintentionally probably, in
22 magnitudes of more than I had ever contemplated, and I've
23 been doing this a long time. It was in a -- a numbers guy
24 from Claremont College that told me how much more it would
25 be off depending upon the size of the generator in the

1 community. And it could have a factor of 400 and 500
2 percent making somebody off by the selection of somebody.

3 So I don't think it's fair to say that the issue
4 just arose lately. When you go down a road basing your
5 work on a belief that what has been transmitted to you is
6 accurate, and all of a sudden you find out that it is not
7 what it had been sort of -- it wasn't exactly what had
8 been originally delivered, then you take the next step to
9 find out what is the impact of that. And that's when they
10 went to the statisticians.

11 And if I'm saying something wrong, you need to
12 tell me. But, I mean, I've been involved in this thing
13 for a long time, and this is how I remember it.

14 So while it's uncomfortable for you folks, all
15 this work went along assuming that the very premise for an
16 extrapolation had been honored. And when it wasn't, then
17 it skews the numbers so bad that it becomes a problem.
18 And that's when they went back to verify that through
19 statisticians.

20 I wish it never happened to you, Michelle; the
21 City of Baldwin Park, I wish it never happened to you.
22 But, you know, our job was to look in 1997 or '98 and
23 figure out that you had an undetermined diversion factor
24 that needed to be taken care of through a compliance
25 order. And you honored that. You went out and found

1 somebody to do the work. It just turned out that it
2 created -- you got caught in the middle of a lot of these
3 coming forward with skewed numbers, that this Board did
4 what this Board was put in place to do, and, that is,
5 manage solid waste in AB 939. And we did that. And we
6 did that with the help of a lot of very capable
7 consultants and some City folks to make sure that we did
8 it right for future. And that's I think what we did.

9 So I just wanted to clarify that, because I don't
10 think that's a fair representation. I think it's fair,
11 but it needed to probably be expanded just a hair.

12 MS. LEONARD: And, again, the methodology they
13 used was the acceptable methodology at the time. And over
14 the years it has fallen out of that acceptable
15 methodology.

16 CHAIRPERSON JONES: But it's only acceptable if
17 it's random. And when it's not random, then it's not
18 acceptable.

19 MS. LEONARD: And I'd like to correct, that in
20 fact it was never -- they never targeted the large
21 generators. And that's my concern now about using actuals
22 because we didn't capture the large generators. I can
23 name a few in the City that never were because they -- it
24 did not follow a methodology that today your statistician
25 is saying should be used, absolutely. But it did follow a

1 methodology that the studies were using at the time.

2 Also I want to point out that -- I know there was
3 a lot of studies that had some incredible diversion
4 amounts. And that's certainly what raised, you know, your
5 suspicion and Mr. Eaton's suspicion when some of these new
6 base years were coming in at very high diversion rates. I
7 don't think that we fall into that category. We certainly
8 have, you know -- we've only proposed, well, at one point
9 a 29 or a 26 percent diversion rate. I don't think we're
10 asking for an extraordinary amount of diversion. It
11 doesn't even amount to that much in terms of the
12 extrapolated tonnages themselves. Again, out of the 1,375
13 businesses in the City, we, you know, sampled 235 of them.

14 But, you know, again, we've gone through a long
15 frustrating process, all of us. And we're committed to
16 getting the City back on track and moving forward.

17 CHAIRPERSON JONES: Beautiful. I appreciate
18 that.

19 All right. I think while we were looking at high
20 diversion numbers, we were also looking at pounds per
21 person per day. And I will say yours is only at 7.54,
22 which is probably closer to being accurate than a lot that
23 we see at 20. What we were seeing at 20 and 25 and 30
24 when they didn't have a commercial wastestream or an
25 industrial wastestream kind of made us just semi-nervous.

1 I'm going to move -- because I think we have to
2 move and I can't -- I think our staff did a good job. I
3 think our staff bent over backwards to make this thing
4 work. And I'm going to move adoption of Resolution
5 2002-563, the consideration of the request to change the
6 base year for '99 to the previously approved source
7 reduction and recycling element, which is Option 2.

8 COMMITTEE MEMBER MEDINA: Second.

9 CHAIRPERSON JONES: I've got a motion by Jones, a
10 second by Medina.

11 Substitute the previous roll?

12 So ordered.

13 Put it on consent?

14 I'll tell you, if you want to take it off
15 consent, you can. But it's on consent, okay? But you can
16 come to us and say here, "Take it off." You have that
17 right, and we will honor that.

18 All right. Thank you.

19 Now I'm going to get to Glenn county. What the
20 heck number am I on? Hold on here.

21 DEPUTY DIRECTOR SCHIAVO: AD.

22 CHAIRPERSON JONES: Fifty-six.

23 DEPUTY DIRECTOR SCHIAVO: Committee Item AD is
24 consideration of the application for a petition for a
25 rural reduction request and consideration of the 1999-2000

1 biennial review finding for the source reduction and
2 recycling element and the household hazardous waste
3 element for the Glenn County Waste Management Regional
4 Agency.

5 And this will be presented by Jill Simmons.

6 MS. SIMMONS: Good morning, Chairman Jones and
7 Committee Members.

8 The Glenn County Waste Management Regional Agency
9 has submitted an application for a petition for a rural
10 reduction request. The agency is able to make this
11 request since it has been determined by Board staff that
12 they meet the statutory definition of rural.

13 The agency has achieved a 44-percent diversion
14 rate for the year 2000. And this is the reduced rate they
15 are requesting.

16 The agency has implemented all of their
17 SRRE-selected programs, including many alternative
18 programs. However, they do not anticipate being able to
19 attain a 50-percent diversion rate due to the following
20 rural barriers:

21 Distance and harsh winter conditions make it
22 inconvenient for residents to travel to a centralized
23 recycling location. Glenn County is located at least 100
24 miles away and nearly two hours from a major recycling
25 market.

1 Twenty-four percent of the county is federally
2 owned. This limits the funding the agency receives from
3 taxable sales, thus making funding scarce to help
4 subsidize diversion programs.

5 Glenn County suffers from severe chronic
6 long-term economic distress. Landfill operations do not
7 have the volume to subsidize recycling and other mandated
8 programs. And these programs are not feasible without
9 this sufficient funding.

10 Board staff has determined that the information
11 submitted in the application is adequately documented.

12 Based on this information Board staff is
13 recommending that the Board approve the application for a
14 petition for rural reduction request submitted by the
15 agency.

16 A representatives from the agency is present to
17 answer any questions.

18 This concludes my presentation.

19 COMMITTEE MEMBER EATON: Is this going to be a
20 permanent reduction?

21 DEPUTY DIRECTOR SCHIAVO: Yes.

22 COMMITTEE MEMBER EATON: So if I may just ask --
23 I don't have a problem. I think Glenn County's done a
24 great job. But they're at 49 down to 44. They were like
25 one percentage point away. So why -- what's the position

1 as to why they need to get reduced down to 44 when they
2 were at 49 and we had these extensions? I mean I'm just
3 asking.

4 MS. SIMMONS: Right, right. And in discussion
5 with the agency, they feel that 44 percent is a more
6 accurate measurement. What happened in '99 is that --
7 well, over time there have been disposal improvements that
8 have reduced their diversion rate, and also the loss of
9 some grant funding that they were implementing in '99. So
10 that brought their rate down to 44 percent in 2000.

11 COMMITTEE MEMBER EATON: So because we didn't
12 fund them because we went --

13 MS. SIMMONS: They were trying out a various
14 array of programs through different grants, not just from
15 the Waste Board. And some worked and some didn't. But
16 that funding isn't always ongoing. And then the agency
17 doesn't always have the funds to subsidize those programs
18 once the funding runs out.

19 COMMITTEE MEMBER EATON: I was just raising the
20 issue, Mr. Jones, that this is a permanent reduction.
21 They were at 49 in '99. They want a permanent reduction
22 for 44. We have given temporary reductions, you know. So
23 this would be a permanent reduction. It was one
24 percentage point across. I was just trying to find out
25 the reasons why. Permanent seems to be --

1 DEPUTY DIRECTOR SCHIAVO: In the permanent
2 reduction the Board can always in the future, depending on
3 what the rates do, can rescind that permanent reduction.
4 So it's permanent in meeting the goal right now. But in
5 2002, if conditions change and the numbers go back up --

6 COMMITTEE MEMBER EATON: I could win the lottery
7 next week too.

8 I don't think we've ever done that. I know it's
9 allowable. But I'm not --

10 DEPUTY DIRECTOR SCHIAVO: We have done that
11 actually. We have done that when the numbers went up.

12 CHAIRPERSON JONES: Yeah, we --

13 DEPUTY DIRECTOR SCHIAVO: Gonzales.

14 CHAIRPERSON JONES: Gonzales, okay.

15 Yeah, and that was a weird one. They were like
16 at 29 and then they did 35 or something or whatever it
17 was.

18 Okay. Members, any other questions?

19 All right. Mr. Medina.

20 COMMITTEE MEMBER MEDINA: Chair Jones, I'd like
21 to move Resolution 2002-562, consideration of the
22 application for a petition for rural reduction request and
23 consideration of the '99-2000 biennial review findings for
24 the source reduction and recycling element and household
25 hazardous waste element for the Glenn County Waste

1 Management Agency.

2 CHAIRPERSON JONES: Second.

3 We got a motion by Medina, a second by Jones.

4 Substitute the previous roll.

5 And on consent.

6 Thank you.

7 Okay. Thank you, Mr. Eaton.

8 Item Number AF, 58, which is City of Winters in
9 Yolo County.

10 DEPUTY DIRECTOR SCHIAVO: And this is a request
11 to change the base year to 2000 for the previously
12 approved source reduction and recycling element and
13 consideration of the 1999-2000 biennial review findings
14 for the source reduction and recycling element and
15 household hazardous waste element for the City of Winters,
16 Yolo county.

17 And Susan Sakakihara will make this presentation.

18 COMMITTEE MEMBER EATON: By the way, since they
19 have a reduction, that means their grant funds will
20 probably not be needed in certain of their areas, right?

21 (Laughter.)

22 COMMITTEE MEMBER EATON: I thought you ought to
23 hear that.

24 MS. SAKAKIHARA: Good afternoon.

25 The City of Winters submitted a request to change

1 its base year from 1990 to 2000. The City originally
2 submitted a new base year change request with a diversion
3 rate of 47 for 2000. No extrapolation was used to
4 calculate the diversion.

5 In addition, the City has submitted documentation
6 showing it meets the statutory conditions for claiming
7 biomass diversion in 2000. As part of the base year study
8 review Board staff conducted a detailed site visit.

9 Board staff proposed changes can be seen in their
10 entirety in Attachment 3.

11 As part of this verification site visit process
12 City staff identified additional businesses with
13 significant quantifiable recycling tonnage. Staff from
14 the Board and the City discussed the basis for adding
15 tonnage from these businesses to the base year calculation
16 and also reviewed the documentation available.

17 Staff recommends that the tonnage be added to the
18 study.

19 Staff believes the available data adequately
20 documents that the activities meet the criteria for
21 inclusion as diversion representative of a normal year.

22 As shown on the agenda item, the City's 2000
23 diversion rate would increase from 50 percent to 58
24 percent if the biomass claims are proved, thus exceeding
25 the 50-percent diversion goal for 2000.

1 Staff also conducted a review of the City's
2 diversion programs. The City has reported that they have
3 successfully implemented source reduction and recycling,
4 composting, and public education programs to meet the 50
5 percent diversion goal.

6 Board staff is recommending Option 2 of the
7 agenda item, which would approve the revised new base year
8 with staff recommendation, approve the City's biomass
9 diversion claim, and accept the 1999-2000 biennial review
10 findings.

11 Karen Honer, the Public Works Director for
12 Winters, is present to answer any questions.

13 This concludes my presentation.

14 CHAIRPERSON JONES: I just want to know if that
15 public works director thanked for finding another 8
16 percent for them.

17 MS. SAKAKIHARA: Yes, they did.

18 CHAIRPERSON JONES: Good job.

19 COMMITTEE MEMBER EATON: She's going to have
20 dinner at the Buckhorn.

21 CHAIRPERSON JONES: There you go.

22 MS. SAKAKIHARA: Good idea.

23 CHAIRPERSON JONES: Mr. Medina.

24 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

25 I'd like to move Resolution 2002-564, consideration of a

1 request to change the base year to 2000 for the previously
2 approved source reduction and recycling element and
3 household hazardous element, consideration of the '99-2000
4 biennial review findings for the source reduction and
5 recycling element and household hazardous waste element
6 for the City of Winters, Yolo County.

7 COMMITTEE MEMBER EATON: Second.

8 CHAIRPERSON JONES: Okay. I have a motion by Mr.
9 Medina, a second by Mr. Eaton.

10 Substitute the previous roll?

11 On consent?

12 Thank you.

13 Item 62, AJ.

14 DEPUTY DIRECTOR SCHIAVO: And this is
15 consideration of the scoring criteria and evaluation
16 process for the Unified Education Strategy Grant Program
17 for Fiscal Year 2002-2003 and Fiscal Year 2003-2004.

18 And Rebecca Williams will be making this
19 presentation.

20 MS. WILLIAMS: Good afternoon, Chairman Jones and
21 Committee Members. I'm going to keep this very short so
22 we can finish up with this Committee meeting.

23 You may recall --

24 CHAIRPERSON JONES: Okay. I don't have a
25 resolution. I don't if other members have resolutions.

1 Did you have one on 62?

2 MS. WILLIAMS: Number 568.

3 COMMITTEE MEMBER EATON: No test, we can go home.

4 CHAIRPERSON JONES: Just if you want a motion.

5 MS. WILLIAMS: Yes, we do, we do.

6 CHAIRPERSON JONES: All right. Thanks.

7 Sorry.

8 MS. WILLIAMS: That's okay.

9 I'm just going to quickly cover a few highlights
10 of the agenda item that we've submitted for your
11 consideration.

12 You may recall at last month's Board meeting the
13 Board approved the school deal implementation plan. And
14 part of the plan calls for the Unified Education Strategy
15 Grant Program.

16 This is going to be an open competitive grant
17 program that provides two cycles of funding. The team
18 that's been working on this project has used the Board
19 approved general scoring criteria as a framework for the
20 Unified Education Strategy Grant Criteria.

21 Using the existing categories, we fit our program
22 criteria into those categories. They seem to be a nice
23 fit, and so that's what we've done is incorporated several
24 program components into the general criteria, with one
25 exception. And that one exception is a program criterion

1 that you can find in the attachment, on Page 2, under the
2 heading of "Program Criteria." It's bulleted with two
3 bullet points.

4 And the project team thought it was important to
5 have a specific separate criterion that speaks to the
6 school district's level of commitment to the programs that
7 these grants will fund.

8 The criterion addresses the focus as prescribed
9 in the legislation for this grant program, which requires
10 the use of educational programs to teach the concepts of
11 source reduction, recycling, and composting.

12 Additionally, the second bullet addresses the
13 district's commitment to sustain a high level of
14 participation in the proposed programs.

15 With regard to the evaluation process outlined in
16 this agenda item, we borrowed from an existing
17 Board-approved evaluation process for another grant
18 program. And we also consulted with the Grants
19 Administration Unit to make sure that the process was
20 appropriate and contain all the necessary steps for an
21 evaluation process.

22 Other than that, we are seeking your approval for
23 the grant scoring criteria and the evaluation process.
24 With the approval from the Board we hope to go forward
25 with a grant application packet in November. And then

1 subsequently we'll be following up with the standard
2 activities that go along with administering a competitive
3 grant program over the next several months.

4 So if you have any questions, we'd be happy to
5 answer them.

6 CHAIRPERSON JONES: Mr. Eaton.

7 COMMITTEE MEMBER EATON: Mr. Schiavo, how many
8 districts do we continue to have problems with that are
9 failing to give us accurate information to their
10 jurisdictions? We had a problem where school districts
11 didn't really report their tonnages, you know, their
12 programs to local jurisdictions. Is that still taking
13 place?

14 DEPUTY DIRECTOR SCHIAVO: You know, I'm not sure.
15 I haven't heard it as much --

16 COMMITTEE MEMBER EATON: And the reason why is
17 I'm thinking that maybe we should have some points in here
18 for school districts who are willing to provide and be of
19 assistance to a jurisdiction in which they are residing.
20 We've heard for a long time that there's a separation
21 between school districts and jurisdictions. And all I'm
22 saying is, I like the program, but we ought to reward
23 those who are working with their jurisdictions as opposed
24 to ones who can take the money and then tell the
25 jurisdictions they don't have to report.

1 CHAIRPERSON JONES: You know, that's a great
2 idea. You guys comfortable with -- that doesn't do
3 anything to the integrity of your -- I mean it doesn't
4 cross any lines?

5 MS. WILLIAMS: We could put that in the
6 application packet.

7 DEPUTY DIRECTOR SCHIAVO: Yeah, we'll put that
8 in.

9 CHAIRPERSON JONES: You're cool? I mean I'm cool
10 with it. I just want to make sure that --

11 DEPUTY DIRECTOR SCHIAVO: Yeah, that's a good
12 idea.

13 COMMITTEE MEMBER EATON: How many points you put
14 there, that's something you guys should decide or whatever
15 you want to -- we'll move it along to the full Committee.
16 You want to come up with a point or, you know, for three
17 points, whatever, and then you just do it. I mean it can
18 go on consent and we can pull it off, put it on or
19 whatever. But I think that that's what we ought to
20 reward, those who are in a position that are being
21 cooperative and not, you know, reward those who for one
22 reason or other are not helping a jurisdiction.

23 CHAIRPERSON JONES: All right.

24 COMMITTEE MEMBER EATON: And that's not -- you
25 know what I'm talking about --

1 CHAIRPERSON JONES: I know exactly what you're
2 talking about. The issue -- I know Mr. Medina was getting
3 briefed on something -- or was asking a question.

4 Mr. Eaton is thinking that some of these schools
5 don't ever cooperate with our local jurisdictions, so we
6 ought to put some points in there for those that are
7 actually participating in local programs, might be --
8 right? Facility programs or -- would that work?

9 COMMITTEE MEMBER EATON: Well, however they do
10 it --

11 CHAIRPERSON JONES: That should be --

12 DEPUTY DIRECTOR SCHIAVO: Yeah, we'll figure out
13 the language.

14 COMMITTEE MEMBER EATON: You know what the
15 problem is. And you can work with the education section
16 and come up with something that's fair and reasonable,
17 that won't penalize.

18 CHAIRPERSON JONES: If we were to do that so that
19 we could move this on today, is it your intent to have
20 this whole item come back to the Board? Or do you want to
21 try to give direction to slot 3, 4 points into one of
22 these existing categories and then approve it as a revised
23 scope? What would your preference be?

24 COMMITTEE MEMBER MEDINA: I would rather come
25 back, because I know that there's environmental justice

1 language in here but there are no points given for
2 environmental justice at all in the criteria.

3 CHAIRPERSON JONES: Okay. Did you folks hear Mr.
4 Medina?

5 DEPUTY DIRECTOR SCHIAVO: Yeah. No, I'm just
6 looking for the --

7 MS. WILLIAM: At your work plan?

8 DEPUTY DIRECTOR SCHIAVO: Yeah.

9 No, no. We're looking for environmental justice.
10 Where was that?

11 Which part of it --

12 COMMITTEE MEMBER MEDINA: I see wording for
13 environmental justice. I don't see it listed in any of
14 the criteria. There's no points for environmental
15 justice.

16 DEPUTY DIRECTOR SCHIAVO: That's one of the
17 overall criteria for evaluation is that they must show
18 that to us. So it wasn't a point value, but it was a --
19 they must document their environmental justice commitment.

20 COMMITTEE MEMBER MEDINA: Do you have that
21 described in the description anywhere?

22 STAFF COUNSEL CARTER: Excuse me, Mr. Medina.

23 CHAIRPERSON JONES: Go ahead, Marie.

24 STAFF COUNSEL CARTER: Marie Carter from the
25 Legal Office.

1 COMMITTEE MEMBER MEDINA: Yeah.

2 STAFF COUNSEL CARTER: That is a requirement of
3 the application. The applicant must certify that they
4 meet the environmental justice definition. However, it's
5 not in the criteria. It's not been put in any of our
6 Board criteria as yet. At some later date we may fold
7 that in. But at this point we don't have a way to make
8 that determination and assign points.

9 MS. BRODDRICK: In addition, Mr. Medina, the
10 language in the bill itself, in the legislation, requires
11 us to evaluate applicants based upon geographic and
12 demographic diversity. And so one of the things we will
13 be looking in the applications and with the applicants is
14 that they have a -- we have a good representation of
15 underserved populations. And that's provided by the
16 Department of Education through their free and reduced
17 lunch programs. And also they give a good profile of the
18 student population. And I think we'll be able to address
19 some of those issues.

20 It's kind of different with the school
21 population, the kind of programs they'll be doing on
22 campus versus some other types of application for grants.
23 However, I'm sure that will be addressed. And there are
24 school -- there are district applications that were
25 already being considered in our model programs that have

1 that profile.

2 DEPUTY DIRECTOR SCHIAVO: Then regarding Mr.
3 Eaton's suggestion, we could incorporate that under work
4 plan. I mean that's where the bulk of the points are. We
5 can do an insert there.

6 COMMITTEE MEMBER EATON: However, each of your
7 respective divisions feels it's appropriate, and I'm fine
8 with -- it's just a part of that.

9 CHAIRPERSON JONES: So why don't you go ahead,
10 work on where you would think this is appropriate, and
11 then bring it back to the Board.

12 I do want to say, I think Mr. Medina talked to
13 him about it. He just said he's cool, comfortable with
14 it.

15 Mr. Eaton's suggestion to revise this, I think
16 we're all cool with.

17 I want to just ask the members not to -- I'm not
18 going to move the resolution, but I am going to say that
19 we are -- I'm going to ask you, are we affirmative for
20 this with the addition of a category for these school
21 district facilities being part of the local recycling
22 effort as a criteria for five points?

23 COMMITTEE MEMBER EATON: That's fine, whatever --
24 five points is fine. So I'm just thinking that it would
25 meet your obligations for the jurisdiction.

1 CHAIRPERSON JONES: Exactly, that they're helping
2 with the jurisdictions -- the AB 939 mandates.

3 Saying that, I think -- are all three of us
4 agreed that we like that concept?

5 Okay. We'd like you to bring this back to the
6 Board as a full agenda item. But it will be with the
7 concurrence of the Committee. We just are not going to
8 put it on the consent calendar so that we give you an
9 opportunity to tell us all about it. How's that?

10 MS. BRODDRICK: Sure.

11 CHAIRPERSON JONES: Is that good?

12 COMMITTEE MEMBER EATON: Yeah, because I think
13 you at least want to have one item, Mr. Jones, going
14 before the Board. But, you know, I mean --

15 CHAIRPERSON JONES: You know, these things can
16 only happen because of my good cohorts here that know how
17 to move business.

18 I do --

19 COMMITTEE MEMBER EATON: So we can have a minimal
20 presentation.

21 CHAIRPERSON JONES: That's it. We'll have a
22 minimal presentation.

23 Would anybody from the public like to address?

24 I just -- a quick thing. Mohajer, your people at
25 the L.A. Tech Center did a great job. I was down at La

1 Costa for their training and at Santa Barbara. You
2 weren't here for me to thank you the last time. So now
3 that you're here, I'm doing it. They did a good job and I
4 appreciate it.

5 Staff, we appreciate your effort.

6 Thank you, members.

7 We're adjourned.

8 (Thereupon the California Integrated Waste
9 Management Board, Diversion, Planning and
10 Local Assistance Committee meeting adjourned
11 at 12:30 p.m.)
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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Managment Board,
7 Diversion, Planning and Local Assistance Committee meeting
8 was reported in shorthand by me, James F. Peters, a
9 Certified Shorthand Reporter of the State of California,
10 and thereafter transcribed into typewriting.

11 I further certify that I am not of counsel or
12 attorney for any of the parties to said meeting nor in any
13 way interested in the outcome of said meeting.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 22nd day of October, 2002.

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22
23 JAMES F. PETERS, CSR, RPR
24 Certified Shorthand Reporter
25 License No. 10063